

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

LEGISLATIVE COUNCIL
October 26, 2006
1:00 p.m.
REVISED AGENDA

<u>Page</u>	<u>Item</u>	<u>Action</u>
	CALL TO ORDER	
	ROLL CALL	
1	SUMMARY OF THE SEPTEMBER 21, 2006 COUNCIL MEETING	Acceptance

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

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| 9 | • Executive Director's Report (Mr. Boulter) |
| 10 | • Fiscal Report (Mr. Pennoyer) |
| 11 | • Information Technology Report (Mr. Mayotte) |
| 12 | • Status of Legislative Studies (Mr. Norton) |
| 47 | • Update on FY 06 Unspent Study Funds (Ms. Breton) |

REPORTS FROM COUNCIL COMMITTEES

- **Personnel Committee** (Rep. Cummings, Chair)
- **State House Facilities Committee** (Sen. Gagnon, Chair)

OLD BUSINESS

None

NEW BUSINESS

- | | | |
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| 50 | Item #1: Joint Select Committee on Research, Economic Development & the Innovation Economy – Request for 1 additional meeting and extension of final report date to December 15, 2005 | Decision |
| 52 | Item #2: Commission to Study Eliminating the Normal Retirement Age for Corrections Officers and Mental Health Workers – Request for extension of final report date to December 6, 2006 | Decision |
| 54 | Item #3: Commission to Study the Henderson Brook Bridge in the Allagash Wilderness Waterway – Work plan and budget submission pursuant to Public Law 2005, chapter 598, section 5 | Decision |
| 58 | Item #4: Request by Senator Schneider to honor the anniversary of the founding of the U.S. Marine Corps by flying the Marine Corps Flag on Friday, November 10 th from sunrise to sunset | Decision |
| 59 | Item #5: Proposal for Legislator orientation program on collaborative approaches to achieving consensus on policy issues (Rep. Koffman & Rep. Rector) | Decision |
| 60 | Item #6: Request by Maine Indian Tribal-State Commission to hold informational seminar on Maine Indian tribes and role of Commission in January, 2007 | Decision |
| 61 | Item #7: YMCA Youth in Government Program (Lonney A. Steeves, Director YMCA Camp of Maine) – Discussion of 2007 + program dates | Discussion |
| 65 | Item #8: Proposed Fee Schedule for Legislative Documents (Clerk of the House Millicent MacFarland) | Decision |
| 67 | Item #9: Request for approval to enter in to contract with Voyager Systems Inc. for conversion of bill-related Wang software | Decision |

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT



MAINE STATE LEGISLATURE

OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

MEETING SUMMARY
September 21, 2006

CALL TO ORDER

The Chair, Speaker Richardson, called the Legislative Council meeting to order at 1:33 p.m. in the Legislative Council Chamber.

ROLL CALL

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

Representatives: Speaker Richardson, Rep. Cummings, Rep. Bowles
Absent: Rep. Duplessie, Rep. Tardy

Legislative Officers: David Boulter, Executive Director, Legislative Council
Grant Pennoyer, Director, Office of Fiscal and Program Review
Patrick Norton, Director, Office of Policy and Legal Analysis
Suzanne Gresser, Revisor of Statutes
Paul Mayotte, Director, Legislative Information Services
Lynn Randall, State Law Librarian
Joy O'Brien, Secretary of the Senate

SUMMARY OF THE AUGUST 24, 2006 COUNCIL MEETING

Motion: That the Meeting Summary of August 24, 2006 be accepted and placed on file.
(Motion by President Edmonds, second by Sen. Weston, motion approved unanimous (7-0).

REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS

• **Executive Director's Report**

David Boulter, Executive Director reported the following:

1. 2006 State House Facilities Renovation Projects

The construction projects are proceeding on schedule. Building repointing work is completed. Most interior patching and painting work is completed. Staging in the House Chamber will be removed next week, after which the north parking lot will be available for regular use. The south access and parking lot project is scheduled for completion by November 1st.

2. Freedom of Access Website (update)

The website changes to post statutory exceptions to "public records" under the State's Freedom of Access law, as authorized by the Legislative Council, have been made. Members of the public may access the Internet website from the Legislature's homepage or directly by <http://www.maine.gov/foaa/law/exceptions.htm>.

3. Klir Beck Diorama Lighting (update)

The Maine State Museum has been working with Tuckerbrook Conservation, LLC (Conservator) to develop an acceptable plan to increase lighting in each of the dioramas, as requested by the State House Facilities Committee. The plan is to install LED test lighting as a Phase 1 for each of the 4 dioramas and upon successful testing, order and install the lighting and related equipment. Projection completion should be before December 1, 2006.

4. YMCA of Maine, Youth in Government Program

The YMCA is seeking confirmation of the acceptable date for the 2007 Youth in Government program. Requested dates are in late April or early May. After discussion by key legislative offices, a decision will be made before the end of September. About 200 students and advisors participate in the program each year.

5. Union Street Reconstruction (update)

Work on Union Street (adjacent to Capitol Park) has begun. Water and sewer line work has been completed. Placement of electrical utilities will be placed underground and some road repavement will be completed this fall. Completion is scheduled for spring 2007.

6. Opening of New Kennebec Valley YMCA Facility

The KVYMCA opened its new facility on September 12th. The facility is located off Union Street, adjacent to Capitol Park. The facility has 2 swimming pools, a gym and an extensive fitness center. Membership is open to Legislators on a daily, annual or partial year membership basis.

7. Pandemic Flu Preparedness Summit

HR Director Debby Olken attended a major state government summit this week on preparing for a pandemic flu outbreak. Over 1,000 people attended to better understand what measures should be taken to prepare for an epidemic. Participants will be reviewing development of a plan and checklist to address business continuity and provide essential services as they relate to government operations.

8. Pre-legislative Conference Program

Preparations for the 123rd Legislature's Pre-legislative Conference program sponsored by the outgoing Legislative Council are underway. This program will coordinate with MDF's proposed legislative policy sessions. A small subcommittee (2-3 members) working with other legislative officers of the Legislative Council would be useful to establish the program for the 4 day conference that begins on December 4, 2006.

Speaker Richardson suggested that President Edmonds, Sen. Weston, Rep. Cummings, and Rep. Tardy would be good candidates to serve as subcommittee members. Sen. Weston stated that she was unable to be on the subcommittee.

(Motion by Speaker Richardson to establish a Pre-legislative Conference subcommittee, whose membership is President Edmonds, Rep. Cummings and Rep. Tardy for pre-legislative conference planning, second by Sen. Weston, motion approved unanimous (7-0).)

• Fiscal Report

Grant Pennoyer, Director, Office of Fiscal and Program Review reported the following:

1. Revenue Update

General Fund revenue was slightly under budget in August, but remained approximately \$8.8 million (+2.9% variance) over budget for the Fiscal Year-to-date (FYTD). The individual income tax and corporate income tax continue to be the major contributors to the positive FYTD variance. The "other revenue" line is another major contributor to excess revenue, but some may be overstated due to a significant amount of "undistributed" revenues at the Department of Inland Fisheries and Wildlife.

Highway Fund revenue was under budget in August by \$5.6 million, offsetting July's positive variance and resulting in a negative variance of the FYTD of \$3.7 million (-9.6%). The fuel taxes line more than reversed the temporary positive variance in July. Most other Highway Fund revenue lines were also running under budget.

2. Cash Pool and Cash Balance Trends

The average balance of the cash pool was \$668.8 million in August. This is above the average August balances of \$654.7 million for the last 5 years and approximately equal to last year's average balance in August. Last August, the average balance included \$123.6 million of Tax Anticipation Note (TAN) borrowing, which is not in the total this August.

The General Fund needed to borrow \$30 million internally from other special revenue funds at the end of August, but the expectation is that no TAN borrowing will be required in this fiscal year.

The Highway Fund average cash balance continued its downward trend in August and was nearly \$50 million below the average balance of a year ago. There have been no further updates on how the administration plans to manage the demand for Highway Fund cash over the next several months of construction season.

3. Revenue Forecasting Schedule

The Consensus Economic Forecasting Commission will meet on October 3rd at 9:30AM in Room 228 of the State House.

The Revenue Forecasting Committee will meet on October 24th at 9:30AM in Room 228 of the State House to review the revenue sources not driven by the economic models and will meet again on November 28th (also at 9:30AM in Room 228) to conclude the forecast with a review of the major tax lines driven by the economic forecast.

- **Office of Information Services' Report**

Legislative Information Services Director Paul Mayotte reported the following:

Mr. Mayotte reported that the MELD bill drafting system warranty list is closed. HP will complete its work by September 30th and deliver the final MELD source code at that time.

He stated that in preparation for the 123rd Legislature LIS is making necessary preparations so that bill drafting can begin by mid-October. The final WANG database for the 122nd has been run, updated, reviewed and accepted by ROS. He explained that that database serves as the entry point into the MELD database update. He said that ROS has begun logging bill requests into the MELD system.

Mr. Mayotte then discussed the bill drafting contingency plan. He reminded Legislative Council members that MELD was used in the 2nd Session to produce nearly 50% of the bills introduced and to produce 175 amendments and 166 engrossers related to those bills. He stated that MELD is a complex integrated software application and for that reason it is appropriate to have a contingency plan as requested by Council members. He said that Ms. Matheson and LIS staff are in the process of preparing the WANG system as a backup to MELD to ensure that the Legislature will be able to function should there be serious issues with MELD. He stated that the WANG system would be maintained although not activated so that should the need arise there is a means to produce bills and other legislative instruments to support the Legislature.

Mr. Mayotte then gave an update on data backup processing. He stated that all backups are current and LIS is maintaining backups to established procedures. The goal is to have one backup system in the State House and another off-site that the Central Maine Commerce Center (CMCC) where the State Police are located. LIS will activate the systems, test them and then move one system to the remote site. Mr. Mayotte said that the one remaining issue concerned establishing proper high-speed data communications between the State House and CMCC is being addressed now.

Rep. Cummings requested clarification regarding the WANG system being maintained as part of the contingency plan. Mr. Mayotte stated that the contingency plan is to have the WANG system prepared and ready to be activated if necessary.

- **Study Commissions Report**

Mr. Norton, Director of Policy and Legal Analysis reported the following:

Mr. Norton explained that approximately 95% of study appointments had been made and he drew Legislative Council members' attention to a summary of the remaining interim Legislative study appointments. He stated that there were legislative appointments to be made but the enabling law provided for a 30 day appointment period. He also said that most of the studies have met one or more times.

Speaker Richardson said that he wanted to make certain that the study committees conclude the studies in a timely manner so staff will have time to write the report and prepare for the next legislative session. He stated that he felt the study committees were helpful and important but that the priority for staff is the standing committees. He stated that he was reluctant to allow time extensions because extensions would result in study commissions working too close to the beginning of the session.

PERSONNEL COMMITTEE

No report.

STATE HOUSE FACILITIES COMMITTEE

No report.

OLD BUSINESS

None.

NEW BUSINESS

Item #1: Commission to Study the Cost of Providing Certain Services in the Unorganized Territories – Request for approval to hold two additional meetings

Speaker Richardson asked Mr. Norton to explain the request. Mr. Norton responded that the request is for approval to hold two additional meetings. Mr. Pennoyer, whose office staffs the study commission, explained that while there would be no difficulty staffing the two additional meetings there is concern that the meeting costs would deplete remaining funds so there would not be enough funding to pay for printing the required report.

Speaker Richardson asked if there would be available funding for one meeting and printing the report. Ms. Breton, Legislative Finance Director, responded that the commission has approximately \$1,110 remaining and the average cost of report printing is \$500. The average cost of a meeting is \$500.

Motion by President Edmonds to authorize the study commission to hold one (1) meeting with the remainder of the amount of allotted funds to be used for printing the report, second by Sen. Brennan. Motion approved, unanimous (7-0).

Item #2: Commission to Arrange for a Monument Honoring Women Veterans of Maine - Work Plan and Budget Submission pursuant to Resolves 2006, Chapter 215

Mr. Norton explained that the commission was presenting its work plan and budget as required by Resolves 2006, Chapter 215. He stated that the commission stated it could complete their work on time and within budget.

Motion by Rep. Cummings to accept the work plan, second by President Edmonds. Motion approved, unanimous (7-0).

Item #3: Task Force to Study Maine's Homeland Security Needs – Request for extension to submit final report from November 1 to December 22, 2006

Mr. Norton explained that the task force requests for an extension of time to submit its final report.

President Edmonds asked about the effect on staff if the extension was approved. Mr. Norton responded that he would be more comfortable if all meetings were completed earlier in December so that reports could be completed prior to December 22nd.

Motion by Rep. Cummings to authorize a time extension to December 1st for the task force to submit its final report, second by Sen. Weston. Motion approved, unanimous (7-0).

Item #4: Joint Select Committee on Research, Economic Development & the Innovation Economy – Request for 2 additional meetings, additional funding and extension of final report date

Mr. Norton explained that the committee was authorized for four meetings this year with a current reporting deadline of December 6th. He explained that the request was to extend that deadline to December 15th and permission to hold two additional meetings. The cost for increasing the number of authorized meetings from 4 to 6 would be \$2,730.

Speaker Richardson asked if there was additional funding available for this request. Ms. Breton responded that the money that was appropriated and available in FY 07 for legislative studies was fully obligated. She noted that at the end of FY 06 there were studies that had not spent all of their allotted money. Those funds are available to fund this request.

Rep. Cummings said that he had reservations about authorizing the request without knowing there was additional money. He also stated he was unclear why the request was made since only one meeting had been held.

Sen. Edmonds requested that Ms. Breton prepare information that assures that adequate funding is available to support this request and to make the information available for Council members at the October meeting.

Motion by Rep. Cummings to deny the committee's requests and that Ms. Breton provide Legislative Council members with fiscal information regarding available funds for current legislative studies at the October Legislative Council meeting, second by President Edmonds. Motion approved, unanimous (7-0).

Item #5: Request for review of partial payment of dues to National Conference of Commissioners on Uniform State Laws

Mr. Boulter explained that Chief Justice Leigh Saufley asked that the Legislative Council review the request for full payment of Maine's share of dues to the National Conference of Commissioners of Uniform State Laws. He stated that for the past several years because of funding constraints there has been \$12,000 each year appropriated by the Legislature with the directive that members expenses for attending the NCCUSL annual meeting be paid first, and then apply the remaining balance if any to the dues. Mr. Boulter directed Legislative Council members' attention to a spreadsheet prepared by the Executive Director's Office that outlined the summary of payments made by the Legislature.

Sen. Weston asked if sending representatives to the meetings while not paying dues changed Maine's relationship with the organization. Mr. Boulter responded that NCCUSL wanted member states to participate whether or not they were able to pay dues. Sen. Weston asked what the dues covered in addition to the conference. Mr. Boulter responded that the dues covered the operating costs of the association itself.

Speaker Richardson stated that he thought sending Maine appointees to have an input in uniform state law formulation is a good thing and funding should be included in the budget.

Motion by President Edmonds to include the current \$12,000 level of funding for NCCUSL in the tentative budget, second by Sen. Brennan. Motion approved, unanimous (7-0).

Item #6: Tentative Legislative Budget 2008-2009 Submission

Speaker Richardson explained that by statute the Legislature is required to submit a tentative budget so that the Department of Administrative and Financial Services can include it with the Governor's proposed biennial budget. He noted that the tentative budget was up only by 7.2% which he felt was a good start. Ms. Breton said that she felt very comfortable that all had done a good job at keeping the budget costs down. The Speaker thanked Mr. Boulter, Ms. Breton, the office directors, Ms. MacFarland and Ms. O'Brien for holding down the costs.

Ms. Breton said that she felt very comfortable that all had done a good job at keeping the budget costs down. She stated that the area with the greatest increase was Personal Services due to the cost of living adjustments awarded to employees and legislators, as well as increases in insurance and retirement costs, and noted these areas are externally driven and beyond the Legislature's direct control. Mr. Boulter pointed out that All Other, which is where the Legislature has the most control over spending, was held to a 1.7% increase.

Rep. Bowles asked Ms. Breton what the spending cap was. Ms. Breton said that based on instructions provided by the Budget Office, Personal Services would be fully funded based on current salaries and the projected increases in benefits. All Other was held to the FY 07 funding level. Rep. Bowles clarified that he was requesting what is the Legislature's cap as a percent age. Speaker Richardson asked if that calculation could be made before we have all the information

needed and asked Mr. Pennoyer for his input. Mr. Pennoyer responded that the percentages currently estimated were 3.27% and 3.1% per year.

Rep. Bowles said that he thought the Legislature had made a decision to live within the Executive Department's guidelines regarding spending limitations. He said that if the Executive Department had a limitation of 6.3% he was concerned that the Legislature was in excess of that by as much as 10%. He said he was fine with submitting the tentative budget but he felt it incumbent upon the new Legislative Council to reduce the budget to within the limits. Speaker Richardson pointed out that when the previous budget was submitted, the Legislature was significantly above the spending cap number but worked through a subcommittee to set priorities, trim costs and stay within the cap.

No action by the Legislative Council was required prior to submitting the tentative budget.

ANNOUNCEMENTS AND REMARKS

None.

ADJOURNMENT

The Legislative Council meeting was adjourned at 2:37 p.m. Motion by President Edmonds to adjourn. (Motion was approved unanimous (7-0)).



MAINE STATE LEGISLATURE

OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

**Legislative Council
Executive Director's Report
October 26, 2006**

1. State House Renovation Projects 2006

Virtually all interior work has been completed for this year, with the exception of some remaining painting on the 1st floor. In addition, all committee rooms in the Cross Building have received repair and paint touchups. Committee rooms are in very good condition for the incoming legislature.

The south access and parking lot project is nearing completion. The parking lot is scheduled to re-open on or about November 8th. Some signage and emergency callbox installation will remain to be done, but, should be completed before December 1st.

2. MDF Orientation Sessions

MDF President Laurie Lachance reports that the policy forums and bus tour planning is well underway. Initial response for presenters and fund raising has been very good. MDF's advisory group, that includes Legislative representation, will meet again on November 1st to review program agendas and suggested bus routes and site visits.

3. HP Contract for MELD System

On October 25th, we officially concluded our contract with HP for the MELD system. Final payment was delivered to HP and we received the final software update and source code. This concludes the development of the bill drafting system. The Revisor will place the system into full production for the 123rd Legislature today.

4. Legislative Orientation Planning Schedule

An orientation planning schedule has been developed for handy reference session planning purposes. A copy will be distributed to Legislative Council members and others.

5. Return of Jon Williams from Tour of Duty

Law Library staff member Jon Williams has returned from an extended tour of duty in Iraq and Afghanistan. As a member of the National Guard Reserves, Jon left for the Middle East in 2004. He has now resumed work in the library. Welcome home!

Fiscal Briefing for the Legislative Council

Legislative Council Meeting
September 21, 2006

*Prepared by the
Office of Fiscal & Program Review*
Executive Summary

1. Revenue Update (See Attachment A)

- General Fund revenue was just slightly under budget in August, but remained approximately \$8.8 million (+2.9% variance) over budget for the Fiscal Year-to-date (FYTD). The Individual Income Tax and Corporate Income Tax continue to be the major contributors to the positive FYTD variance. The "Other Revenue" line is another major contributor to this excess revenue, but some of this may be overstated due to a significant amount of "undistributed" revenues at the Department of Inland Fisheries and Wildlife.
- Highway Fund revenue was under budget in August by \$5.6 million, offsetting July's positive variance and resulting in a negative variance of the FYTD of \$3.7 million (-9.6%). The Fuel Taxes line as anticipated more than reversed the temporary positive variance in July. Most other Highway Fund revenue lines were also running under budget.

2. Cash Pool and Cash Balance Trends (See Attachment B)

- Average balance of the Cash Pool was \$668.8 million in August. This is above the average August balances of the last 5 years of \$654.7 million and approximately equal to last year's average balance in August. Last August, the average balance included \$123.6 million of Tax Anticipation Note (TAN) borrowing, which is not in the total this August.
- The General Fund needed to borrow \$30 million internally from Other Special Revenue Funds at the end of August, but the expectation still is that no TAN borrowing will be required in this fiscal year.
- Highway Fund average cash balances continued their downward trend in August and were nearly \$50 million below the average balance of a year ago. No further updates on how the administration plans to manage the typical demand for Highway Fund cash over the next couple of months of the heavy construction season.

3. Revenue Forecasting Schedule

- Consensus Economic Forecasting Commission will meet on October 3rd at 9:30AM in Room 228 of the State House.
- Revenue Forecasting Committee will meet on October 24th at 9:30AM in Room 228 of the State House to review the revenue sources not driven by the economic models and will meet again on November 28th (also at 9:30AM in Room 228) to conclude the forecast with a review of the major tax lines driven by the economic forecast.

122nd MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL
Preliminary Technology Report
October 19, 2006

Bill Drafting System: (update)

- HP completed its work on September 30th
- Preparation for the 123rd Legislature
 - A readiness assessment to determine if MELD was ready to be placed in to production mode was conducted with the Revisor's Office
 - The MELD statute database review by the Revisor's Office is complete with all corrections made by October 23rd
 - The Contingency Plan is in place
 - The ability to track bills through the drafting process and prepare management reports will be in place
 - There are no open issues that impact the ability to draft bills
 - Pending a final ROS review on Monday October 23rd, The MELD Bill Drafting System is ready to begin drafting bills for the 123rd Legislature

Data Back Up Processing: (update)

- All backups are current and being performed to the established procedures
- The software to standardize the automated tape backup process has completed testing and is running successfully
- The options for establishing high-speed data communications with CMCC need to be finalized

Replacement of Bill Production Tracking and Management Reporting Systems:

- A recommendation for the replacement of the Wang based tracking and reporting application for the 2nd Session of the 123rd has been prepared for the Legislative Council's consideration and is attached.



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

Date: October 24, 2006

Memo to: Representative John Richardson, Chair, Legislative Council
Senator Beth Edmonds, Vice-Chair, Legislative Council

From: Patrick Norton, Director *PJN*

Re: Study process recommendation

As you recall, several questions about legislative studies have come up in earlier Council meetings this year, and as a result the Council has asked that I look at these issues and report back with some recommendations. The questions that have come up have touched on issues such as the type of instruments used to create studies, study appointments, reporting deadlines for interim studies and the effect of interim study extensions on session-related staffing responsibilities and commitments of staff to "permanent" studies or commissions during the session.

After reviewing study legislation over the past several years, and the history of the legislative study process in general, it is clear that concerns about the legislative study process are not new. It also appears that many of the questions asked by this Council relate to recurring issues involving the study process. These types of issues were most recently addressed in a comprehensive manner in 1997-98, when former Speaker of the House Elizabeth Mitchell convened a special committee to review the study commission process.¹ Many of the recommendations made in that report were subsequently adopted and implemented, either through changes to the Joint Rules or to the study guidelines adopted by each Council. A copy of that report is attached for your review.

Although the recommendations in the 1998 report improved the study process in a number of ways, it is clear that some of the old issues have re-emerged and that some new issues have arisen in the nine years since this report was produced.

Recommendation. Since the current interim study season is beginning to wrap-up, and I see no staffing issues with the current limited extension requests, I am not recommending any immediate changes to the study process. I do think it would be very useful, however,

¹ Final Report of the Special Committee to Review the Study Commission Process. (January 16, 1998). Committee members included the Clerk of the House, Joe Mayo, the Secretary of the Senate, Joy O'Brien, the Senate President's Chief of Staff, Peter Chandler, the Special Assistant to the Speaker of the House, Peggy Schaffer, and the Director of OPLA, David Boulter.

if this Council considered recommending that the next Council appoint a subcommittee in December to review and update the 1998 special study committee report and make any recommendations necessary for changes to the study process prior to the adoption of the Council study guidelines for the 123rd Legislature. Some important goals of this subcommittee would be to identify and remove any existing barriers to conducting effective and timely legislative studies and to ensure that the Council is in a position to direct the course of interim studies and the use of its committee staff during the legislative sessions.

Should the Council proceed along these lines, I would happy to participate in this process in any way that would be helpful.

Thank you. I would be happy to respond to any questions you may have about this recommendation.

C: Council members;
David Boulter, Executive Director



**SPECIAL COMMITTEE TO
REVIEW THE STUDY COMMISSION PROCESS**

FINAL REPORT

JANUARY 16, 1998

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**Special Committee to
Review the Study Commission Process**

Final Report

January 16, 1998

Special Committee Members

Joseph W. Mayo, Clerk of the House

Joy J. O'Brien, Secretary of the Senate

Peter Chandler, Chief of Staff, Senate President's Office

Peggy Schaffer, Special Assistant, Speaker's Office

David E. Boulter, Director, Office of Policy and Legal Analysis

Executive Summary

Introduction

Each session the Maine Legislature considers numerous bills that would make 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 same session in which it is introduced, some legislation warrants further deliberation or study before a final decision is made. When additional time or information is needed to fully evaluate issues, the Legislature often establishes a special committee or commission to: study the matter during the interim between legislative sessions; evaluate options; and make recommendations to the full legislature for consideration.

Over the last decade, the manner in which study commissions have been established and members appointed has changed dramatically, creating a study commission process that increasingly results in late convening study commissions and a cumbersome appointment process. As a result, study commissions often work under nearly impossible schedules to complete their work and legislators often find that they represent a minority of members on study commissions and have little ability to direct the course of legislative studies.

On November 12, 1997, Speaker of the House Elizabeth H. Mitchell convened a special committee to review the study commission process and develop recommendations by January 1998 for improving the process.

Summary of findings

From 1940 until the 1980's, virtually all legislative studies were authorized through the use of a form of joint order called a study order. Study orders were directed to joint standing or joint select committees. Most of the members of the study committees were legislators. In the 1980's study orders continued to be used although most studies by joint standing committees were authorized by the Legislative Council. On rare occasions, a resolve, private and special law or unallocated public law was enacted to establish a study. From approximately 1987 on, the number of studies established by legislation, rather than by study order or Legislative Council authorization, increased steadily. This year, over 35 studies were authorized and only 2 were pursuant to joint order.

The committee finds that there are significant procedural barriers to conducting effective and timely legislative studies. These barriers have developed over a period of a decade or so and have resulted in a decrease in the ability of the Legislature to direct the course of its own studies, efficiently appoint members and convene study commissions, study and report on matters in a timely fashion, and compensate members equitably. These barriers produce an environment that is not conducive to careful evaluation of important policy issues and options, and ultimately lead to a decline in the overall quality and relevance of legislative studies.

The committee finds that virtually all of the problems associated with the current study commission process may be grouped into four broad categories: lack of legislative control over legislative studies; cumbersome procedures for establishing study commissions; inconsistencies in funding studies and compensation for members; and inconsistencies among study commissions due to a lack of drafting guidelines for creating study commissions and establishing uniform study procedures.

The committee also finds that making relatively few, but important, changes to the current study commission process will dramatically improve the effectiveness of legislative study commissions, allow for efficient convening and conduct of study commissions and bring the process more in line with the process historically used by the Legislature to conduct studies. Foremost among the changes is the use of study orders as the primary legislative instrument to establish study committees and greater legislative influence in the selection of study commission members.

Recommendations for improvement

1. Reaffirm legislative policy on legislative studies. The committee recommends that the Legislature reaffirm in its joint rules that the primary purpose of legislative studies is to assist legislators in the policy decisions they must make and for that reason the Legislature should establish and fully direct the course and scope of studies in ways that will assure the studies will best meet legislative needs.

2. Return to use of joint standing and joint select committees as principal study committees. The committee recommends that the Legislature return to the use of joint standing and joint select committees as the principal groups to conduct legislative studies. Legislators should constitute the membership of these legislative study commissions. Use of commissions that include broad representation of non-legislators should be reserved for high profile or other special occasions when participation by prestigious outside dignitaries or direct representation of another branch of government or interest groups on a study commission is essential to the success of the study.

3. Use study orders as principal legislative instrument for establishing studies. The committee recommends that study orders be the principal legislative instrument for establishing legislative studies and that joint standing committees consider and report out study orders in the same manner as legislation. Joint standing committees should have authority to report out joint orders requesting that a study be conducted. It is further recommended that if legislation is to be used to establish a legislative study, it first be approved for introduction by the Legislative Council.

4. Presiding officers appoint members. The committee recommends that the members of a legislative study commission be appointed by the presiding officers. Study language should not require that joint appointments be made and should not narrowly prescribe membership slots to be filled for a study.

5. Presiding officers appoint chairs. Except in the case where a study commission is very small (e.g., 3 to 5 members), each study commission should have joint chairs, one appointed by the President and one appointed by the Speaker. The chairs should be appointed at the time of appointment of the other members. In the case of a small study commission, the chair should be appointed by the presiding officer of the body of the originating order or legislation.

6. Keep size of study commissions manageable. The committee recommends that the size of study commissions be at least 3 but not more than 13 members, a size consistent with that of joint standing committees.

7. Compensate members of study commissions equitably. The committee recommends that as a matter of policy all members of study commissions, including public members unless otherwise compensated by their employers, be entitled to receive the legislative per diem and reimbursement of necessary expenses for their attendance at authorized meetings of a study commission.

8. Conclude studies prior to start of legislative sessions. The committee recommends that all reports of study commissions which are to be submitted to the first regular session of the next or subsequent legislature be submitted not later than the first Wednesday in November preceding the convening of the first regular session of the next legislature, and all reports of study commissions which are to be submitted to the second regular session be submitted not later than the first Wednesday in December preceding the convening of the second regular session.

9. Fund studies through legislative appropriations. The committee recommends that all legislative studies be funded through an appropriation from the General Fund, and the legislative account include a study line to which studies should be budgeted and study expenses charged. If funding from other sources is determined to be necessary, the Legislative Council rather than study commission members should make the requests for funds.

10. Establish formal study table. The committee recommends that the Legislature establish a study table in the Senate on which all legislative study requests, regardless of their funding source, be placed. It further recommends that the Legislative Council review the proposed studies and set priorities for allocation of budgetary and staffing resources. In setting priorities for studies, the Council should consult with the joint standing committees.

11. Staff only legislative studies using Legislative Council staff. The committee recommends that legislative studies be staffed by non-partisan staff assigned by the Legislative Council, and that the Legislature provide staffing only for studies that are either chaired by legislators or in which legislators constitute the majority of members.

12. Place responsibility in offices to coordinate the convening of study commissions. The committee recommends that responsibility for the timely and orderly convening of legislative study commissions be placed in each office that is responsible for staffing the committees. The coordinating office or offices should provide the presiding officers with periodic reports on the progress being made to convene study commissions.

13. Actively manage study expenses. The committee recommends that study commissions and study staff be charged with primary responsibility for managing study budgets and be accountable to the Legislative Council for operating within budgeted resources.

14. Provide formal guidance for drafting study orders and legislation. The committee recommends that proposed drafting guidelines for study orders and legislation be prepared by non-partisan staff and submitted at the beginning of each first regular session for review and approval by the Legislative Council. The guidelines should provide for model orders and legislation that include all necessary elements to properly convene and carry out a study, including language for extensions of reporting dates for studies that whenever possible permit extensions to be granted without having to file legislation for that extension.

15. Specify study commission process in joint rules and Legislative Council policies. The committee recommends the Legislature incorporate appropriate changes to its joint rules so the rules establish the major provisions of the legislative process and policies relating to legislative studies. The committee also recommends that prior to the convening of the first regular session of the 119th Legislature, the Legislative Council adopt administrative policies necessary to implement the changes to the study commission process recommended in this report.

Special Committee to Review the Study Commission Process

Introduction

Each session the Maine Legislature considers numerous bills that would make 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 same session in which it is introduced, some legislation warrants further deliberation or study before a final decision is made. In addition, there are times when the legislature wishes to seek additional information or comment from others on matters of legislative interest before initiating major changes in public policy, law or governmental operations. When additional time or information is needed to fully evaluate issues, the Legislature often establishes a special committee or commission to: study the matter during the interim between legislative sessions; evaluate options; and make recommendations including proposed legislation to the full legislature for consideration. The Legislature has made extensive use of studies over the years and has coordinated the establishment and conduct of study commissions through a legislative research committee or the Legislative Council.

Over the last decade, the manner in which study commissions have been established and members appointed has changed dramatically. This change and other factors have contributed to a study commission process that increasingly results in late convening study commissions and a cumbersome appointment process. As a result, study commissions often work under nearly impossible schedules to complete their work and frequently have to narrow the scope of their study in spite of their legislative charge in order to present their report in time for the Legislature to consider it. Legislators often find that they represent a minority of members on study commissions and have little ability to direct the course of legislative studies. In addition, the current process results in inequities in funding of studies and in compensation of study commission members.

These factors have led to a sense among legislators and others involved with legislative study commissions that the process can be improved significantly: improvements that will result in both an increased satisfaction with the process by study commission members and a greater sense of contribution to the legislative process through more thorough and timely study reports.

On November 12, 1997, Speaker of the House Elizabeth H. Mitchell convened a special committee to review the study commission process and develop recommendations by January 1998 for improving the process.

Special committee's charge

The committee was charged with examining the current legislative process for establishing interim study commissions and recommending ways to improve the process. Specifically, the committee was to examine:

1. the legislative instrument(s) used to establish study commissions and committees, particularly the use of joint orders and legislation (enactment of a bill);
2. commission membership and appointing authority;
 - ♦ joint appointments
 - ♦ representation of non-legislative groups and organizations and sources of authority for appointment
3. staffing of study commissions;
4. compensation of members; and
5. funding of study commissions.

Special committee meetings

The committee met on November 24, December 2, December 8, December 18 and December 23, 1997 and January 16, 1998. It reviewed various study commission-related materials, current statutes, joint rules of the Legislature and past study orders and bills. The following represents the findings of the special committee and its recommendations for improvement.

Background and historical perspective

In 1940, the Legislature enacted a bill that established the Legislative Research Committee. The research committee consisted of 10 members: 3 senators and 7 representatives. It was charged with providing the legislature with impartial and accurate information and reports. The committee coordinated all studies internal to the legislature and also required agencies to conduct studies. It is of some interest that the bill became law when the Legislature overwhelmingly overrode the Governor's veto of the bill. The research committee existed until 1973 when the Legislative Council was established.

From 1940-1973, virtually all legislative studies were authorized through the use of a form of joint order called a study order. Study orders directed joint standing committees or the Legislative Research Committee to study and report on certain matters, and established joint select committees. Members of these committees were legislators. Some study orders requested or directed the participation of others, notably executive branch agencies.

From 1973 to approximately 1987, virtually all legislative studies were conducted through joint standing or joint select committees, again the members being legislators. Study orders were the principal means of establishing the studies although in the 1980's, studies by joint standing committees were authorized by the Legislative Council. On rare occasions, a resolve, private and special law or unallocated public law was enacted to establish a study. For example, according to records in the Law and Legislative Reference Library, 52 studies were authorized in 1977: 51 were established by study order and 1 by a P&S law. Studies authorized by legislation were usually associated with some longer term study commission (for example Low Level Radioactive Waste Commission).

From 1987 on, the number of studies established by legislation (rather than by joint order or Legislative Council authorization) steadily increased. This year, over 35 studies were authorized and only 2 were pursuant to joint order. It is unclear exactly why there has been such a shift from study orders to legislation as the vehicle to establish studies. An increased opportunity for interest groups to have a voting member on a study committee is one explanation that has been offered.

The Legislative Council has served as a priority-setting and coordinating entity for the Legislature with respect to legislative studies since the elimination of the Legislative Research Committee.

General observations:

- ♦ For nearly 50 years until the late 1980's and the 1990's, the primary vehicle used by the legislature for establishment of legislative studies appears to have been study orders (and more recently Legislative Council approval for studies by joint standing committees); extensive use of legislation to establish study commissions appears to be a recent development.
- ♦ The Legislature has a long history of authorizing a research committee or the Legislative Council to coordinate and set priorities for legislative studies.

Authority for studies

The general authority to establish legislative study commissions or joint committees rests with the full legislature through enactment of legislation or adoption of an order, except that the presiding officers at their discretion have authority to establish House select and Senate select committees.

Study legislation is binding on all branches of state government to which it is directed. On the other hand, study orders are binding on the legislative branch and can invite, but not compel, participation or action by another branch of state government. Even though study orders are more limited in their application, study orders may still create studies that allow participation of other branches of government or members of the

general public. For example, a study order can direct a study committee to invite the participation of certain agencies or groups in a study, including testifying before it or presenting information. Alternatively, it can direct the appointing authorities to invite a representative of an agency or group to be a member of the study committee. As with legislatively authorized studies, most if not all invited persons would likely accept the opportunity to join a study committee.

Pursuant to 3 MRSA §162(3), when the Legislature is not in session the Legislature Council is authorized to assign bills, resolves and studies to existing joint standing committees and joint select committees for consideration, request reports, studies and legislation from joint standing committees and convene meetings of joint standing committees and joint select committees.

Pursuant to 3 MRSA § 162(8), all appropriations or allocations by the Legislature for specific studies to be carried out by joint standing or joint select committees do not lapse, but are carried forward. Account balances not fully expended are refunded to the Legislature. Certain other budget requirements are specified in 3 MRSA § 165(7).

Summary of findings

The committee finds that there are significant procedural barriers to conducting effective and timely legislative studies. These barriers have developed over a period of a decade or so and have resulted in a decrease in the ability of the Legislature to direct the course of its own studies, efficiently appoint members and convene study commissions, provide adequate staff support, study and report on matters in a timely fashion, and compensate members equitably. These barriers produce an environment that is not conducive to careful evaluation of important policy issues and options, and ultimately lead to a decline in the overall quality and relevance of legislative studies.

The committee also finds that making relatively few, but important, changes to the current study commission process will dramatically improve the effectiveness of legislative study commissions, allow for efficient convening and conduct of study commissions and bring the process more in line with the process historically used by the Legislature to conduct studies. Foremost among the changes is the use of study orders as the primary legislative instrument to establish study committees and greater legislative influence in the selection of study commission members.

General observations and findings

1. Purposes and goals of legislative studies

The primary purpose of legislative studies, unlike studies conducted by executive branch agencies or non-governmental organizations, is to assist legislators directly with policy decisions they must make. Legislatively conducted studies:

- ♦ provide legislators with information to fully understand complex issues and make informed decisions on matters of public policy and operations of state government;
- ♦ present excellent opportunities to bring outside subject area experts to the legislature to share their knowledge;
- ♦ provide an important forum to educate the public on legislative issues and other matters of public policy; and
- ♦ allow the legislature to direct the areas of study to meet its own information needs and appropriately shape policy recommendations from a legislative perspective.

2. Major problems identified

The committee finds that virtually all of the problems associated with the current study commission process may be grouped into four broad categories: lack of legislative control over legislative studies; cumbersome procedures for establishing study commissions; inconsistencies in funding studies and compensation for members; and inconsistencies among study commissions due to a lack of drafting guidelines for creating study commissions and establishing uniform study procedures.

A. Legislators are not in charge of legislative studies

- ♦ Legislators constitute a minority of membership on most study commissions.
- ♦ The current study process does not allow legislators to be in charge of legislative studies; it merely provides a legislative seat at the table. Therefore, legislators cannot direct studies to meet legislative needs.
- ♦ The executive branch and special interests exert a great influence in determining the structure and makeup of study commissions, and the scope and manner of study.
- ♦ The process for selection of a chair is often undefined or the selection is made after the commission is convened. The presiding officers or other legislators have little direct influence in selection of the study commission chair.
- ♦ Presiding officers have limited discretion to appoint study commission members due to required joint appointments, including joint appointments with the executive branch, or through selection criteria that allow little legislative discretion.
- ♦ When legislators do not constitute a majority of membership or chair a study, the role of legislative staff who staff the studies becomes confused.
- ♦ Fiscal note concerns lead to minimizing legislative membership on studies.

- ♦ Use of legislation to establish legislative studies requires the Governor's approval.

Discussion. As was discussed above, the principal legislative instrument for establishing legislative study commissions over the last decade has become legislation. For example, of the 38 legislative studies authorized this session, 30 (79%) were through enactment of legislation, 5 by Legislative Council approval (including 3 staff studies), 1 by authority of the presiding officers and only 2 (5%) by joint order. As with any other law, study legislation is subject to all of the Constitutional requirements for passage, including opportunity for gubernatorial or a people's veto, and may not become effective (unless passed as emergency legislation) until 90 days after the end of the legislative session. By definition, this means that: 1) the Governor must agree that the Legislature ought to study a particular issue; and 2) studies cannot get underway until well after the end of the legislative session.

Many recent study commissions have had a membership of 15 or more individuals, with legislators comprising a minority of the membership even though they are legislative studies. It is not unusual for legislators to represent 25 % or less of a commission's membership. In some cases, there have been no legislators. Whereas in the past, departmental officials, special interest groups and members of the general public participated in legislative studies by appearing before and offering information to the study commission, in recent years they have been sitting directly on the commissions as fully participating, voting members. In some cases, they even chair study commissions. In order to minimize the fiscal impact of studies, joint standing committees and legislators sponsoring study legislation often will minimize the number of legislators on study commissions, further exacerbating the minority status of legislators on legislative studies. It is difficult for legislators to exert control over studies or final recommendations when they constitute a minority of the study commission.

Furthermore, legislative committee staff who provide staffing support to the study commissions find themselves taking primary direction from non-legislators, including executive branch officials, when legislators do not chair or constitute a majority of the commission membership. This represents an awkward role for legislative staff and limits the support staff can give to those legislators who do serve on the commissions.

Study legislation typically provides the President and the Speaker with the authority to make the legislative appointments, though study legislation often limits their appointments to either appointing the members jointly (sometimes jointly with the Governor) or appointing individuals to fill certain narrowly prescribed "slots" representing particular special interest groups. Legislation typically provides that the Governor or interest groups make the other appointments.

Selection of the chair of a study commission often is not specified in the enabling legislation. When chair selection is not specified, it is left to the study commission members to select a chair from among themselves. While other members sometimes will

defer to appointed legislators to serve as chairs, not all members will do so. In some cases, departmental officials as well as private sector individuals will chair legislative studies. By not specifying the chair or directing that the presiding officers appoint the chair of the study commission, the Legislature foregoes its opportunity to decide who should head the study to assure that legislative procedures, protocols and purposes are met.

B. Process for establishing study commissions is cumbersome and causes delay

- ♦ Use of legislation to create study commissions means a significant delay (90 days or more) in the startup of the studies unless the legislation is enacted as an emergency measure. For example, the Legislature adjourned sine die on June 20, 1997, but non-emergency study legislation (enacted much earlier than June 20) could not take effect until September 19, 1997 at the earliest. Delays in the actual convening of study commissions are often significantly longer than 90 days.
- ♦ Joint appointments slow appointment selection.
- ♦ The administrative process for appointing and convening study commissions is fragmented among numerous legislative offices. While those legislative offices have some involvement in the study commission process, no individual or office has overall accountability to assure that each aspect is completed in a timely manner.
- ♦ Without an early selection of a chair to provide direction, commission schedules and background information cannot be prepared to allow for an efficient start of the study process.
- ♦ The size of most study commissions is unwieldy and often too large to be effective.
- ♦ There is no formal mechanism such as a study table for setting legislative priorities and allocating resources to studies.

Discussion. In recent years study commissions have been established through enactment of legislation (bills) which, following passage by the Legislature and approval by the Governor, is not effective until 90 days following the close of the session.

The interim period between legislative sessions is a good time to conduct studies since legislators and committee staff can devote more time to studies. The interim between the first and second regular sessions typically is about 6 months. In most cases, however, studies created by legislation will not begin until at least 90 days following the close of the session. Allowing a little time for appointment of members of the study commission once the law is in effect, a study commission often will not be convened until at least early October, only a couple of months before the Legislature reconvenes.

Study legislation requiring the President and the Speaker to make their appointments to study commissions jointly or jointly with the Governor creates logistical difficulties. It also unduly constrains the authority of the presiding officers to make appointments as they deem appropriate. The sheer logistics of developing multiple lists of names of potential appointees and meeting to negotiate each joint appointment is time consuming and unnecessarily burdensome on the appointment process. Furthermore, requiring the presiding officers to make their appointments jointly with the Governor severely undermines the independence of the legislative branch and allows the executive branch to block appointees to which it does not agree. The Governor's appointments typically are not required to be approved by the presiding officers.

Much study legislation of late has prescribed certain qualifying requirements for study commission appointees, in effect "slots" that also limit the discretion of the presiding officers in making their appointments. Some are less troublesome, such as such as requiring a particular joint standing committee to be represented on a study commission. Others, however, relate to special interest groups or other non-legislative appointees and the criteria for appointment are so specific as to require the presiding officers to appoint an individual from a specific organization.

In at least one study (P&S 1997, c.51) this session, some of the study commission members were appointed by neither the Governor nor the presiding officers. The law called for the chair of the study commission to appoint 6 of the 14 members, once the chair was appointed from among the initial group of 8 appointees. The manner and quality of appointments determine in large measure the quality of the study and the credibility of the study commission. Legislation such as this affords the Legislature little opportunity to assure quality or credibility.

Because in many cases the selection of chair is not made at the outset of the appointment process, there is no legislator or other individual who is authorized to provide direction to staff in preparing useful background materials in advance of the first meeting, developing agendas or work plans for the study, lining up policy area experts or coordinating the scheduling of initial meetings. Without this advance planning, it is difficult for study commissions to organize themselves quickly and effectively to carry out their charge.

Study commissions that have large memberships can become unwieldy. Some recent study commissions have had in excess of 20 members. Most appointees have work, home or other obligations that create demands for their time. As a result, significant logistical difficulties are often encountered with large study commissions that slow the study process, such as trying to schedule meetings when most members can attend. In addition, very large groups may tend to divide into factions, thus creating less opportunity for full participation by all members and less opportunity to develop a strong sense of working together to find common ground on issues.

The offices of the President and the Speaker assist the presiding officers in contacting and appointing study commission members and in sending initial letters of appointment to appointed members. The Secretary of the Senate and the Clerk of the House are notified of the appointments. The Legislative Information Office then contacts members to arrange the initial meeting of study commissions and prepares a notice of the meeting for mailing to the members. The Executive Director's Office convenes study commissions in the absence of the Chair of the Legislative Council and is responsible for commission budgets. Once the appointments are completed and the initial meeting arranged, staff from the Office of Fiscal and Program Review and Office of Policy and Legal Analysis staff the study commissions. This process creates numerous opportunities for misstep, delay and lack of awareness of the status of the process by one or more offices. Each step in the process of convening a study commission needs to be coordinated so the process proceeds smoothly and expeditiously.

There is no study table or other formal mechanism by which the Legislature may set legislative priorities for studies and allocate its limited financial and staffing resources. There have been informal approaches by the Legislative Council to review proposed studies, including some this past session. However, there is no formally established, predictable process for reviewing all studies regardless of funding source to decide legislative priorities for studies.

C. Compensation of members & funding of studies are inconsistent & inequitable

- ♦ Compensation for legislative members has been inconsistent between study commissions, resulting in inequitable treatment of members. Some members receive per diem and expenses, others receive expenses only and some serve without compensation.¹
- ♦ Compensation for public members is inconsistent and often lacking.
- ♦ Study costs are difficult to manage due to the lack of a study line in the legislative budget, and the lack of a clearly defined process for the tracking and timely reporting of costs.
- ♦ Because study costs are not budgeted in advance, sponsors attempt to avoid or minimize fiscal notes on study bills by minimizing or eliminating compensation for members.
- ♦ Studies predicated on non-legislative funding create actual funding and public perception problems.

¹ This past session, the Legislative Council attempted to establish a consistency among studies with regard to legislative compensation for study proposals it reviewed.

Discussion.

The current study commission process creates noticeable inequities in compensation of study commission members, wide variability in funding of studies based on funding sources, and difficulty in planning for and managing study costs. These problems are due principally to the lack of 3 things:

- ♦ uniform legislative policy on compensation of members and funding of studies that would assure consistency between studies. Absence a joint rule or other policy guidance, study proposals vary widely in how studies are to be funded and members compensated due to the preferences of particular joint standing committees to which they are referred or individual sponsors;
- ♦ a formal study table that would allow the Legislature (leadership) to: 1) budget for study costs; and 2) comprehensively review all proposed studies at one time, consult with committees about study needs, and then set priorities for studies based upon availability of budgetary and staffing resources; and
- ♦ a clearly defined process for tracking and reporting study costs that would make study commissions more accountable for their costs and allow the Legislature to actively manage study costs.

As with studies conducted by executive branch agencies or other entities, legislative studies incur costs. Those costs may include payment of a per diem and reimbursement of expenses to some or all members of a study commission to attend meetings, costs of bringing in policy area experts, costs of holding regional hearings, and printing, distribution and other report publication expenses. While costs vary widely depending on the size of study commissions and their specific needs, most legislative studies costs are relatively modest, averaging under \$4,000 per study.² These study costs are either absorbed by existing budgeted resources or more likely paid through a special appropriation associated with each study.

Regardless of the costs of studies, costs should be managed. A study line to which all study expenses are charged would help the legislature plan for study costs and fund studies within available budgeted resources. In addition, regular status reports on study costs as studies are on-going would allow the presiding officers and the Legislative Council to manage study costs, and assist them in understanding the fiscal implications of time extensions or other requests by study commissions. Study commission chairs and commission staff have an obligation to stay within their budgets, but to do that they must have frequent and timely status reports on study budgets and expenses.

² Because most legislative studies are staffed by Legislative Council staff, staffing costs are absorbed by existing legislative personnel budgets.

In order to avoid a fiscal note on a study bill, sponsors or committees sometimes propose that legislative studies be funded through solicitations from the private sector. This sometimes poses funding problems; private sector funding does not always materialize, resulting in unbudgeted expenses that must then be absorbed by the legislative account. In addition, solicitation of private sector funds (particularly from those interests affected by a study) can undermine the credibility of a legislative study due to public perceptions about study bias.

D. Lack of drafting guidelines leads to inconsistency in how study commissions are established and an inefficient process

- ♦ Purposes, goals, and scope of studies often are vague in study legislation.
- ♦ Current study language for study bills and amendments varies considerably depending on the sponsor or committee.
- ♦ Mechanisms for extension of reporting dates are cumbersome and result in after-the-fact submission of additional bills.

Discussion.

Study commission members and staff benefit from clear statements of purpose for studies and the scope of review expected. Current study language is often vague with respect to purpose and does not clearly state the scope of review expected. When study language is being drafted, greater attention needs to be given to clearly stating the questions to be examined and the specific tasks to be undertaken.

Study commissions should be encouraged to complete their work and file their report by the established deadlines. Currently, if a study commission will not meet its reporting deadline, it files a request for extension. Depending on the language of the study bill, extensions may be granted by the Legislative Council or may require additional legislation. The legislation is almost always after-the-fact. Ideally, if an extension becomes necessary, the mechanism for extending the reporting date should not be cumbersome or create additional work for the Legislature (such as bills). Careful attention needs to be given to preparing language in study bills to make clear that commissions do not lose their authority to submit a final report or legislation solely due to a missed reporting deadline. Whenever possible, extension language should be drafted to permit extensions to be granted without having to file additional legislation for that purpose.

The lack of drafting guidelines formally authorized for use by staff creates inconsistencies in drafting study language. In addition, without the guidelines, there is no formal procedure to assure that each study proposal will contain the essential administrative provisions. In the past, proposed drafting guidelines were prepared by non-partisan staff and submitted at the beginning of the first regular session for review and approval. Those guidelines included model language for each element of a study

proposal including sample language for the range of options available. Numerous potential problem areas could be avoided by re-instituting drafting guidelines for studies.

Recommendations for improvement.

1. Reaffirm legislative policy on legislative studies.

The committee recommends that the Legislature reaffirm in its joint rules that the primary purpose of legislative studies is to assist legislators in the policy decisions they must make and for that reason the Legislature should establish and fully direct the course and scope of studies in ways that will assure the studies will best meet legislative needs.

2. Return to use of joint standing and joint select committees as principal study committees.

The committee recommends that the Legislature return to the use of joint standing and joint select committees as the principal groups to conduct legislative studies. Legislators should constitute the membership of these legislative study commissions. Use of task forces or blue ribbon commissions that include broad representation of non-legislators with full, voting memberships should be reserved for high profile or other special occasions when participation by prestigious outside dignitaries or direct representation of another branch of government or interest groups on a study commission is essential to the success of the study.

3. Use study orders as principal legislative instrument for establishing studies.

The committee recommends that, in keeping with recommendation #2, study orders, approved jointly by the Senate and the House, be the principal legislative instrument for establishing legislative studies involving joint standing committees and joint select committees. Proposed study orders should be referred to joint standing committees for consideration and reported out in the same manner as proposed study legislation. Furthermore, the committee recommends that the joint standing committees have authority to report out joint orders requesting that a study be conducted. Joint orders should be prepared in accordance with procedures specified in the Joint Rules.

Use of legislation as a vehicle for establishing study commissions should be used only when:

- ♦ a study is to be conducted by a task force or blue ribbon or other commission involving substantial participation by non-legislators; or
- ♦ a study is proposed to extend beyond the current legislative biennium.

It is further recommended that if legislation is to be used to establish a legislative study, it first be approved for introduction by the Legislative Council.

4. Presiding officers appoint members.

The committee recommends that the members of a legislative study commission be appointed by the presiding officers. Study language should not require that joint appointments be made and should not narrowly prescribe membership slots to be filled for a study.

5. Presiding officers appoint chairs.

Except in the case where the size of a study commission is very small (e.g., 3 to 5 members) each study commission should have joint chairs, one appointed by the President and one appointed by the Speaker. The chairs should be appointed at the time of appointment of the other members. The chair of a study commission having 5 or less members should be appointed by the presiding officer of the body of the originating study order or legislation.

6. Keep size of study commissions manageable.

The committee recommends that the size of study commissions be at least 3 but not more than 13 members, a size consistent with that of joint standing committees.

7. Compensate members of study commissions equitably.

The committee recommends the following with respect to compensation of members.

For legislative members: Legislative members should be entitled to receive the legislative per diem and reimbursement of necessary expenses for their attendance at authorized meetings of a study commission.

For public members (when studies require such members): Public members not otherwise compensated by their employers or other entities whom they represent should be eligible to receive reimbursement of necessary expenses and a per diem equal to that of the legislative per diem for their attendance at authorized meetings of a study commission.

8. Conclude studies prior to start of legislative sessions.³

The committee recommends that all reports of study commissions which are to be submitted to the first regular session of the next or subsequent legislature be completed and submitted not later than the first Wednesday in November preceding the convening of the first regular session of the next legislature, and all reports of study commissions which are to be submitted to the second regular session be completed and submitted not later than the first Wednesday in December preceding the convening of the second regular session. Any proposed legislation accompanying such reports should be submitted in final draft form to the Revisor of Statutes by the reporting date. These reporting dates will allow any recommended legislation be drafted and the report distributed in a timely manner. The dates also will minimize workload conflicts with study committee staff who have bill drafting and joint standing committee staffing responsibilities in addition to study responsibilities.

9. Fund studies through legislative appropriations.

The committee recommends that all legislative studies be funded through an appropriation from the General Fund, and the legislative account include a study line to which studies should be budgeted and study expenses charged.

The committee further recommends that, in the event the Legislature determines that other funds should be sought to support a study, requests to provide funding be made to appropriate entities by the Legislative Council rather than by study commission members. A strict accounting should be kept of the receipt and use of such funds.

10. Establish formal study table.

The committee recommends that the Legislature establish a study table in the Senate on which all legislative study requests, regardless of their funding source, be placed. It further recommends that the Legislative Council review the proposed studies and set priorities for allocation of budgetary and staffing resources. In setting priorities for studies, the Council should consult with the joint standing committees.

11. Staff only legislative studies using Legislative Council staff.

The committee recommends that legislative studies be staffed by non-partisan staff assigned by the Legislative Council, and that the Legislature provide staffing only for studies that are either chaired by legislators or in which legislators constitute the majority of members. If, due to resource limitations or for other reasons, existing

³ There is no recommendation regarding how soon studies may be started since that has not been a problem. With the use of study orders, studies could presumably begin prior to the end of a legislative session. The members of the select committee presume that studies would not be started until after the end of a session due to time constraints of an on-going session on legislators and staff.

legislative staff will not be staffing a study commission, the Legislative Council should approve any non-legislative personnel hired to provide the staffing.

12. Place responsibility in offices to coordinate the convening of study commissions.

The committee recommends that responsibility for the timely and orderly convening of legislative study commissions be placed in each office that is responsible for staffing the committees. The coordinating office or offices should provide the presiding officers with periodic reports on the progress being made to convene study commissions.

13. Actively manage study expenses.

The committee recommends that study commissions and study staff be charged with primary responsibility for managing study budgets and be accountable to the Legislative Council for operating within budgeted resources. In order to achieve that accountability:

- ♦ study committee chairs and staff should be provided with frequent status reports on study budgets, expenditures incurred and available funds;
- ♦ while the studies are on-going, the presiding officers and directors of offices that staff the studies should receive weekly status reports of study commission budgets, expenditures incurred and available funds;
- ♦ study orders establishing studies should allow the chairs flexibility in determining the number of meetings to be held for each study based upon the individual needs of the study commission so long as the commission does not exceed its authorized budget; and
- ♦ each study commission should prepare a work plan and proposed budget for the study, consistent with 3 MRSA § 165(7).

14. Provide formal guidance for drafting study orders and legislation.

The committee recommends that proposed drafting guidelines for study orders and legislation be prepared by non-partisan staff and submitted at the beginning of each first regular session for review and approval by the Legislative Council. The guidelines should provide for model orders and legislation that include all necessary elements to properly convene and carry out a study, including but not limited to:

- ♦ study purpose statements stating the questions to be examined and the specific tasks to be undertaken;

- ♦ model language for each element of a study proposal including sample language for the range of options available; and
- ♦ language for extensions of reporting dates for studies that whenever possible permit extensions to be granted without having to file legislation for an extension and that makes clear that commissions do not lose their authority to submit a final report or legislation solely due to a missed reporting deadline.

15. Specify study commission process in joint rules and Legislative Council policies.

The committee recommends the Legislature incorporate appropriate changes to its joint rules so the rules establish the major provisions of the legislative process and policies relating to legislative studies. Recommended joint rule changes reflecting the committee's recommendations are attached as Appendix 2 for consideration. The committee also recommends that prior to the convening of the first regular session of the 119th Legislature, the Legislative Council adopt administrative policies necessary to implement the changes to the study commission process recommended in this report.

Appendices

- Appendix 1** **Summary of legislative studies authorized during the First Regular and First Special Sessions of the 118th Legislature**
- Appendix 2** **Recommended changes to the Joint Rules**
- Appendix 3** **November 12, 1997 letter convening the Special Committee**

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Interim Study Commissions Authorized by the 118th Legislature

Name of Legislative Study	Legislative Instrument	Authorizing Legislation	Number of Members	Number/Percent of Legislators	Staffing	Convening Date	Selection of Chair	Joint Appointments
Jt. Select Committee on Research and Development	Joint Order	S.P. 669	14	14 (100%)	OPLA	September 24, 1997	among the members	President & Speaker
Jt. Select Committee to Oversee Maine Yankee Atomic Power Company	Joint Order	H.P. 345	13	13 (100%)	OPLA	August 27, 1997	chairs of Utilities & Energy Committee	President & Speaker
Blue Ribbon Commission to Study the Effects of Government Regulation and Health Insurance Costs on Small Businesses in Maine	Legislation	Resolves 1997, c. 85 (LD 1905)	12	3 (25%)	OPLA	December 1, 1997	among the members	no joint appts.
Commission to Determine the Adequacy of Services to Persons with Mental Retardation	Legislation	Resolves 1997, c. 79 (LD 581)	17	3 (18%)	OPLA	September 29, 1997	among the members	President & Speaker
Commission to Examine the Rate Setting and the Financing of Long-term Care Facilities	Legislation	Resolves 1997, c. 81 (LD 657)	15	4 (27%)	OPLA	November 3, 1997	appointed by the Governor (NL)	President & Speaker
Commission to Study Certificate of Need Laws	Legislation	Resolves 1997, c. 29 (LD 998)	15	2 (13%)	DHS	October 28, 1997	among the members	President & Speaker
Commission to Study Insurance Fraud	Legislation	Resolves 1997, c. 77 (LD 933)	12	2 (17%)	Bureau of Insurance, OPLA	October 17, 1997	among the members	no joint appts.
Commission to Study the Development of Maine's Franco-American Resource	Legislation	Resolves 1997, c. 83 (LD 1603)	27	4 (15%)	University of Maine	October 15, 1997	among its members (NL)	no joint appts.
Commission to Study the Funding and Distribution of Teletypewriters and Other Telecommunications Equipment for People with Disabilities	Legislation	Resolves 1997, c. 72 (LD 944)	13	3 (23%)	OPLA	December 5, 1997	among the members	President & Speaker

Interim Study Commissions

Authorized by the 118th Legislature

Name of Legislative Study	Legislative Instrument	Authorizing Legislation	Number of Members	Number/Percent of Legislators	Staffing	Convening Date	Selection of Chair	Joint Appointments
Commission to Study the Restructuring of the State's Fiscal Policies to Promote the Development of High-technology Industry in Maine	Legislation	P.L. 1997, c. 557 (LD 1897)	20	4 (20%)	contracted	October 17, 1997	among the members (NL)	President & Speaker
Commission to Study the Unemployment Compensation System	Legislation	Resolves 1997, c. 65 (LD 332)	11	4 (36%)	OPLA	September 24, 1997	among the legislative members	no joint appts.
Commission to Study the Use of Pharmaceuticals in Long Term Care Settings	Legislation	Resolves 1997, c. 71 (LD 146)	10	3 (30%)	OPLA	January 5, 1998	among the members (NL)	Governor, Speaker and President
Committee to Study Tax Relief and Tax Reform	Legislation	P.L. 1997, c. 557 (LD 1897)	13	13 (100%)	OFPR	August 28, 1997	chairs of Taxation Committee	no joint appts.
Maine Commission on Children's Health Care	Legislation	P.L. 1997, c. 560 (LD 1904)	16	7 (44%)	SPO, OPLA	October 14, 1997	Jointly by Governor, President & Speaker	President & Speaker
Maine Commission on Outstanding Citizens	Legislation	Resolves 1997, c. 64 (LD 1610)	8	1 (12%)	Legislative Council	January 5, 1998	among the members	President & Speaker
State Compensation Commission	Legislation	P.L. 1997, c. 506 (LD 1391)	5	0 (0%)	OFPR	not yet convened	among the members (NL)	no joint appts.
Study Group to Assess the Needs of the State Fire Marshal	Legislation	Resolves 1997, c. 10 (LD 359)	13	1 (8%)	Dept. of Public Safety	August 1997	among the members (NL)	President & Speaker
Subcommittee on Legislative Review of DEP's Motor Vehicle Inspection and Maintenance Program to Meet the Requirements of the Federal Clean Air Act	Legislation	Resolves 1997, c. 57 (LD 1651)	5	5 (100%)	OPLA	September 26, 1997	n/a	n/a
Subcommittee on Legislative Review of Revisions to the State's Clean Air Strategy	Legislation	P.L. 1997, c. 531 (LD 1058)	5	5 (100%)	OPLA	no meetings	n/a	n/a

Interim Study Commissions Authorized by the 118th Legislature

Name of Legislative Study	Legislative Instrument	Authorizing Legislation	Number of Members	Number/Percent of Legislators	Staffing	Convening Date	Selection of Chair	Joint Appointments
Subcommittee Progress Meetings with DMHMR/SAS and DHS on Design of Comprehensive Mental Health Services Delivery System for Children	Legislation	Resolves 1997, c. 80 (LD 1744)	3	3 (100%)	OPLA	June 23, 1997	n/a	n/a
Task Force on Improving Access to Prescription Drugs for the Elderly	Legislation	P.L. 1997, c. 560 (LD 1904)	9	4 (44%)	OPLA	December 4, 1997	jointly by President & Speaker	joint appt. of chair only
Task Force on Information Technology in the Public Sector	Legislation	P.L. 1997, c. 554 (LD 1589)	24 minimum	2 (8%)	DAFS, SPO	not convened	a legislator and the Commissioner of DAFS	no joint appts.
Task Force on Production and Issuance of Registration Plates	Legislation	P.L. 1997, c. 311 (LD 260)	11	4 (36%)	Sec. of State	September 12, 1997	among the members	no joint appts.
Task Force on Regional Service Center Communities	Legislation	Resolves 1997, c. 78	13	3 (23%)	SPO	November 13, 1997	among the members	no joint appts.
Task Force on State and Federal Tax Filing	Legislation	Resolves 1997, c. 66 (LD 1368)	11	3 (27%)	Maine Revenue Services	November 24, 1997	among the members	no joint appts.
Task Force to Review the Applied Technology Centers and Applied Technology Regions	Legislation	Resolves 1997, c. 74 (LD 1048)	11	2 (18%)	DOE	November 20, 1997	among the members (NL)	President & Speaker
Task Force to Study Equal Economic Opportunity for All Regions of the State	Legislation	P&S 1997, c. 51 (LD 1452)	14	5 (33%)	OPLA	October 30, 1997	among the legislative members	President & Speaker ¹
Task Force to Study Strategies to Support Parents as Children's First Teachers	Legislation	Resolves 1997, c. 68 (LD 1832)	16	2 (13%)	DHS	November 3, 1997	among the members	President & Speaker
Task Force to Study the Cost Effectiveness of the Child Development Services System	Legislation	P.L. 1997, c. 534 (LD 1581)	16	4 (25%)	OPLA	November 21, 1997	among the legislative members	President & Speaker
Task Force to Study the Feasibility of a Single Claims Processing System for 3rd-party Payors of Health Care Benefits	Legislation	Resolves 1997, c. 63 (LD 350)	15	4 (27%)	OPLA	October 28, 1997	one member of House and one member of Senate to serve as co-chairs	no joint appts.

Interim Study Commissions Authorized by the 118th Legislature

Name of Legislative Study	Legislative Instrument	Authorizing Legislation	Number of Members	Number/Percent of Legislators	Staffing	Convening Date	Selection of Chair	Joint Appointments
Task Force to Study the Feasibility of Creating a Maine Mobility Fund	Legislation	Resolves 1997, c. 73 (LD 1377)	19	4 (21%)	OPLA	December 19, 1997	among the members (NL)	President & Speaker
Work Group to Examine the Legal Rights of Children Who Testify in cases in which they have been alleged Victims of Sexual Abuse	Legislation	P.L. 1997, c. 548 (LD 803)	9	2 (11%)	DHS, AG	not yet convened	among the members	no joint appts.
Staff Study of Privatization of State Liquor Stores	Legislative Council	n/a	n/a	n/a	OPLA	n/a	n/a	n/a
Staff Study of the Citizen Initiative Process	Legislative Council	n/a	n/a	n/a	OPLA	n/a	n/a	n/a
Staff Study on Worker's Compensation and Occupational Disease Law	Legislative Council	n/a	n/a	n/a	OPLA	n/a	n/a	n/a
Subcommittee on Privacy of Genetic Information	Legislative Council	n/a	5	5 (100%)	OPLA	August 19, 1997	chairs of Banking and Insurance Committee	n/a
Subcommittee on Scope of Juvenile Justice Problems and Services in Maine	Legislative Council	n/a	5	5 (100%)	OPLA	9/24/1997 (full committee met)	n/a	n/a
Task Force to Study the Health Effects of Reformulated Gasoline	Presiding Officers	n/a	5	5 (100%)	OPLA	n/a	n/a	no joint appts.

¹ 6 of the 14 members were appointed by the chair of the study commission.

NL indicates a non-legislator was selected as chair of the study commission.

Rule 353. Legislative Study Committees

To assist it in the exercise of its duties, the Legislature may establish joint select committees or commissions consisting of legislators and others members to conduct studies. Alternatively it may refer matters to joint standing committees or subcommittees of joint standing committees for study. The procedure for such legislative studies is as follows.

1. Establishing study committees and commissions. Legislative study committees may be established by joint order only unless otherwise authorized by the Legislative Council. Studies that must be established by law or resolve include those that will:

A. be conducted by a task force, blue ribbon commission or other study group created by the Legislature that includes substantial membership by non-legislators; or

B. extend beyond the current legislative biennium.

Proposed study orders may be referred to joint standing committees for consideration and reported out in the same manner as proposed study legislation. Joint standing committees may report out study orders requesting that a study be conducted.

2. Appointment of members. Unless otherwise specified in legislation creating a study committee, the members of study committees must be appointed by the presiding officers: Senate members by the President; and House members by the Speaker. Membership may include non-legislators but a majority of the members on study committees must be legislators.

3. Appointment of chairs. Study committees must be chaired jointly except for study committees having 5 or less members. Each presiding officer shall appoint a chair at the time of initial appointment of study committee members except the chair of a study commission having 5 or less members must be appointed by the presiding officer of the body of the originating study order or legislation.

4. Committee size. Study committees may consist of not less than 3 and not more than 13 members, unless legislation creating a study committee specifies a greater number.

5. Compensation. Legislative members are entitled to receive the legislative per diem and reimbursement of necessary expenses for their attendance at authorized meetings of a study committee. 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.

6. Reporting dates. All reports of study committees which are to be submitted to the first regular session of the next or subsequent legislature must be completed and submitted not later than the first Wednesday in November preceding the convening of the first regular session of the next legislature. All reports of study committees which are to be submitted to the second regular session must be completed and submitted not later than the first Wednesday in December preceding the convening of the second regular session. Any proposed legislation accompanying such reports must be submitted in final draft form to the Revisor of Statutes by the reporting date.

7. Extension of reporting dates. Any study committee that finds it is unable to comply with its reporting date must submit, in writing, a request for extension of reporting date, the reasons an extension is requested and a proposed new reporting date to the Legislative Council prior to the

reporting date. The Legislative Council shall review the request and promptly notify the committee of its decision.

8. Study table. All joint orders or legislation proposing legislative studies regardless of funding source must be placed on a special study table. The Legislative Council shall review the proposed studies and establish priorities for allocation of budgetary and staffing resources.

The Legislative Council shall establish a study line in the Legislative Account to which legislative studies are budgeted and study expenses charged. It also shall establish budgets and provide sufficient money from the Legislative Account for studies to be conducted by joint standing committees, joint select committees and other study committees of the Legislature. The Legislative Council shall provide money sufficient to enable the committees to reasonably conduct and complete the requirements of the studies.

The Legislative Council shall 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.



ELIZABETH H. MITCHELL
SPEAKER

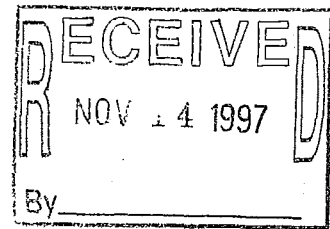
STATE OF MAINE

HOUSE OF REPRESENTATIVES

SPEAKER'S OFFICE

AUGUSTA, MAINE 04333-0002

(207) 287-1300



November 12, 1997

David Boulter, Director
Office of Policy & Legal Analysis
13 State House Station
Augusta, Maine 04333

Dear David:

Following our brief discussion at the Legislative Council meeting regarding the way we currently establish interim study commissions, I am appointing a special committee to examine our current process and develop recommendations for review by both the presiding officers and the Council and am appointing you to serve on this committee. Specific issues that need to be addressed include:

- The instrument used to establish legislative study committees and commissions.
- Membership and Appointing Authority
 - a. Joint appointments
 - b. Representation by outside groups and organizations and the authority for appointment of these.
- Staffing
- Compensation of Members
- Funding
- Use of order vs. statutes

Please establish an initial report to be presented to the Council during the January meeting.

Sincerely,

Elizabeth H. Mitchell
Speaker of the House

EHM/cp

2006 Interim Study Status Report

Prepared by OPLA. (Current as of October 24, 2006)

#	Study Name	Recent or Planned Meeting Dates	Report Dates/Reports to:	Total Members	Appointments made to date	Senate Appts specified	House Appts Specified	Other Appts Specified	Staff	Status
1	Commission to Study the Henderson Brook Bridge in the Allagash Wilderness Waterway (P.L. 2005, c. 598)	Met on 9/22/06 and 10/13/06; Scheduled to meet on 11/17/06	11/1/06 Prelim. Report to ACF; Final report to ACF by 1/15/07	15	12	Two Senators	Three members of the House	Governor appoints: three environmental representatives; one person from the Friends of the Allagash; one person from JD Irving; one person from Clayton Lakes Woodlands, and one person from Seven Islands. Also 3 ex-officio members are named.	OPLA	Majority of appointments made; first meeting held
2	Commission to Study the Costs of Providing Certain Services in the Unorganized Territories (Resolve 2005, c. 125)	Met 7/25/2006, 8/24/06 and 10/17/06	Originally 7/1/06 to Legislature, extended to December 2006.	16	16	Two Senators (one from either ACF or NAT), a representative of county government within LURC jurisdiction, two land owners in the unorganized territory (all appointments already made)	Four members of the House (one must be from ACF or NAT), representative of county government within LURC jurisdiction; and two owners of land in unorganized territory (all appointments already made)	5 ex-officio members (all appointments already made)	OFPR	On-going; final report being drafted
3	Maine Food Policy Council (P.L. 2005, c. 614)		12/15 in odd-numbered years to ACF	11	11	None	None	Six by Governor, one by Chancellor and four ex-officio	Department of Agriculture	Appointments completed
4	Joint Select Committee on Research, Economic Development and the Innovation Economy (JSO SPO847)	Met on 9/14/06 and 10/5/06; Scheduled to meet on 11/1/06	12/6/06 final Report to Legislature	13	13	Three Senators (from either the ACF, AFA, BRED, EDU, MAR, NAT, TAX or TRA committees)	Ten members of the House (from either the ACF, AFA, BRED, EDU, MAR, NAT, TAX or TRA committees)	None	OPLA	Appointments completed, first meeting held
5	Task Force to Study Maine's Homeland Security Needs (Resolve 2005, c. 126)	Met on 9/8/06 in Portland; 9/13/06 in York; Scheduled to meet 11/14/06 and 11/16/06	11/1/06 Final Report to Legislature	11	11	Two Senators (not of the same party) and one person involved in emergency preparedness (all appointments already made)	Four members of the House (not of the same party) and one person involved in emergency preparedness (appointments already made)	Governor appoints three members (appointments already made)	OPLA and MEMA	On-going
6	Subcommittee to Study Early Childhood Special Education (P.L. 2005, c. 662, part C)		1/31/07 to EDU, HHS and DOE and DHHS	28	27	Two Senators	Two members of the House	24 members appointed by DOE and DHHS Commissioners	Department of Education	Majority of appointments made
7	Legislative Youth Advisory Council (PL 2001 c.439, as amended by PL 2005, c. 414)	Youth forums scheduled for 11/2/06 in Ellsworth and 11/14/06 in Kennebunk	Annually; Legislature	20	14	Two Senators and eight youth members (appointments already made)	Two members of the House and eight youth members (appointments already made)	None	OPLA	Two public forums on youth civic engagement are planned for November 2006
8	Task Force to Study Cervical Cancer Prevention, Detection and Education (Resolve 2005, c. 121)	Met 7/18/06, 8/24/06, 9/26/06 and 10/17/06	Final Report 11/1/06 to HHS and Gov	16	16	One Senator and six non-legislators (appointments already made)	One member of the House and six non-legislators (appointments already made)	Two ex-officio members (appointments already made)	OPLA	Meetings completed; final report being drafted

2006 Interim Study Status Report

Prepared by OPLA. (Current as of October 24, 2006)

#	Study Name	Recent or Planned Meeting Dates	Report Dates/Reports to:	Total Members	Appointments made to date	Senate Appts specified	House Appts Specified	Other Appts Specified	Staff	Status
9	Right to Know Advisory Commission (P.L. 2005, c. 631)	Met on 10/18/06; Scheduled to meet 11/13/06 and 11/28/06	10/1/05 to HHS: AFA and Gov	16	16	One Senator from JUD and five non-legislators	One member of the House from JUD and four non-legislators	Governor appoints three members. Also one ex-officio member is named..	OPLA	Appointments completed; first meeting held
10	Human Trafficking Task Force (Resolve 2005, c. 200)	Scheduled to meet on 10/31/06	11/30/06 to Legislature	12	12	One Senator and three non-legislators	One member of the House and three non-legislators	Four ex-officio members are named.	OPLA	Appointments completed; first meeting scheduled
11	Commission to Study Eliminating the Normal Retirement Age for Corrections Officers and Mental Health Workers (Resolve 2005, c. 181)	Scheduled to meet on 11/9/06	11/1/06 to Labor Committee	9	9	Two members of the Senate and two non-legislators	Three members of the House and two non-legislators	None	OPLA	Appointments completed; first meeting scheduled
12	Citizen Trade Policy Commission (PL 2003, c. 699)	Met on 7/20/06 and 9/7/06 and 9/18/06; Scheduled to meet 11/30/06 in Presque Isle	Annually to Legislature, Gov and others	22	22	Three Senators (from 2 parties) and three non-legislators (all appointments already made)	Three members of the House (from 2 parties) and three non-legislators	Governor appoints four members. Also one ex-officio member is named.	OPLA	On-going
13	Commission to Arrange for a Monument Honoring Women Veterans of Maine (Resolve 2005, c. 215)	Met on 8/9/06, 9/7/06 and 10/17/06; Scheduled to meet in November	9/1/06 Initial Report to Capitol Planning Commission; 12/7/06 Final Report to Capitol Planning Commission	8	8	One Senator, three persons with military experience and one person from DDVEM	One member of the House and one person from BGS	One ex-officio member is named.	OPLA	Appointments completed; first meeting held
14	Blue Ribbon Commission on Solid Waste Management (Resolve 2005, c. 207)		1/1/07 to NAT	9	9	Three Senators	Four members of the House	Two ex-officio	Department of Environmental Protection	Appointments completed
15	Maine Energy Council (P.L. 2005, c. 677, Part D)		1/15/07 to UTE	17	17	Two Senators	Two members of the House	Nine by Governor, and four ex-officio	Public Utilities Commission	Appointments completed

Appointment Summary

Number of appointed positions	223
Appointments made to date	213
Percent of appointments complete	95.5%

Study Activity Summary

Studies awaiting appointments	0
Fully appointed/meeting	15
	15

G:/management/director/interim activities/council study status report

10/17/06

**MAINE STATE LEGISLATURE
FY 06 UNSPENT STUDY FUNDS
(as of October 17, 2006)**

STUDY NAME <i>(col. 1)</i>	STUDY BUDGET <i>(col. 2)</i>	AMOUNT EXPENDED <i>(col. 3)</i>	UNSPENT BALANCE <i>(col. 4)</i>
MISCELLANEOUS STUDY ACCOUNT			
<u>STUDY</u>			
Study Commission Regarding Liveable Wages	4,485.00	2,020.67	2,464.33
Blue Ribbon Commission on the Future of MaineCare	3,480.00	2,245.90	1,234.10
Committee to Study State Compliance with the Indian Child Welfare Act	4,700.00	1,098.99	3,601.01
Commission to Study Methods to Improve Ballot Access	2,640.00	2,323.41	316.59
Commission to Reform the State Budget Process	2,520.00	2,082.60	437.40
TOTAL	17,825.00	9,771.57	8,053.43

Items for Consideration from the September 21, 2006 Legislative Council Meeting, pending the update on unspent study funds from FY 06:

Joint Select Committee on Research, Economic Development & the Innovation Economy-Request for 2 additional meetings, additional funding and extension of final report date \$2,730.00

September 2006 request of the Commission to Study the Cost of Providing Certain Services in the Unorganized Territories-Request for approval to hold two additional meetings (The Legislative Council approved one additional meeting and the report costs; no additional funding was provided). \$

JOINT SELECT COMMITTEE ON RESEARCH, ECONOMIC DEVELOPMENT & THE INNOVATION ECONOMY

MEMORANDUM

TO: Representative John Richardson, Speaker of the House, Chair
Senator Beth Edmonds, President of the Senate, Vice-Chair
Legislative Council
c/o David Boulter, Executive Director, Legislative Council

FROM: Senator Lynn Bromley, Senate Chair *LB lms*
Representative Emily Cain, House Chair *EAC lms*
Joint Select Committee on Research, Economic Development & the Innovation
Economy

DATE: September 18, 2006

SUBJ: REQUEST FOR ADDITIONAL MEETINGS AND EXTENSION OF
REPORTING DEADLINE (Joint Study Order S.P. 847)

The Joint Select Committee on Research, Economic Development & the Innovation Economy is writing to request authorization to hold **two additional meetings** and for an extension of the reporting deadline to **December 15, 2006**. The committee is currently authorized to hold 4 meetings and the committee's reporting deadline is currently December 6th. The estimated cost for 2 additional meetings is \$2,730. The estimated cost is based on paying per diem and expenses to all 13 members for each meeting.

The committee held its first meeting on September 14th and is scheduled to hold its second meeting on October 5th. The third and fourth meetings are not yet scheduled.

Given the number of issues the committee is charged with reviewing, we anticipate that we will be unable to hear from all necessary experts, discuss solutions and make recommendations within the current reporting deadline and the currently authorized 4 meetings. The committee thus far has made good progress and we want to finish our job in a responsible and complete manner.

Thank you for your consideration of this request for two additional meetings and for an extension of the reporting deadline. Please feel free to contact either of us if you have any questions. We look forward to hearing from you.

cc: Patrick Norton, Director, OPLA



MAINE STATE LEGISLATURE
Augusta, Maine 04333

**COMMISSION TO STUDY THE COST OF
PROVIDING CERTAIN SERVICES IN
THE UNORGANIZED TERRITORIES**

September 11, 2006

Legislative Council
State House Station 115
Augusta, Maine 04333

Dear Members of the Legislative Council

Last Spring the Legislative Council approved the request of our commission to hold two additional meetings after the adjournment of the Second Regular Session and granted a reporting extension until December 1, 2006.

The commission has held one meeting and one subcommittee meeting since the end of the Second Regular Session. The issues under consideration by the commission are complex and additional issues were added to our duties by the Legislature in this past session. Therefore, we request Legislative Council permission to hold two additional meetings this Fall to complete our work. We believe that the commission's authorized budget is sufficient to fund these meetings.

If you have any questions about this study, please do not hesitate to contact us.

Sincerely:

A handwritten signature in dark ink, appearing to read "Bruce Bryant".

Sen. Bruce S. Bryant
Senate Chair

Sincerely:

A handwritten signature in dark ink, appearing to read "Robert Duplessie".

Rep. Robert W. Duplessie
House Chair

Encl:

cc: David Boulter
Grant Pennoyer
Julie Jones
Teen Griffin

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JOINT SELECT COMMITTEE ON RESEARCH, ECONOMIC DEVELOPMENT & THE INNOVATION ECONOMY

MEMORANDUM

TO: Representative John Richardson, Speaker of the House, Chair
Senator Beth Edmonds, President of the Senate, Vice-Chair
Legislative Council
c/o David Boulter, Executive Director, Legislative Council

FROM: Senator Lynn Bromley, Senate Chair *LB lny sm*
Representative Emily Cain, House Chair *EAC lny sm*
Joint Select Committee on Research, Economic Development & the Innovation
Economy

DATE: October 17, 2006

SUBJ: REQUEST FOR ONE ADDITIONAL MEETING AND EXTENSION OF
REPORTING DEADLINE (*Joint Study Order S.P. 847*)

We are resubmitting a modified request for authorization to hold **one additional meeting** and for an extension of the reporting deadline to **December 15, 2006**. The Joint Select Committee on Research, Economic Development & the Innovation Economy is currently authorized to hold 4 meetings and the committee's reporting deadline is currently December 6th. The estimated cost for 1 additional meeting is \$1,365. The estimated cost is based on paying per diem and expenses to all 13 members for the additional meeting.

The committee held its first two meetings on September 14th and October 5th. We have scheduled the remaining meetings for November 1st, November 14th and December 7th.

At its first two meetings, the committee held panel discussions with former legislators, entrepreneurs, state agency personnel and University personnel involved with R&D efforts. In addition, at the October 5th meeting the committee received a presentation from the authors of a report titled Evaluation of Maine's Public Investments in Research & Development, Final Report - October 2006 which was authored by UNC Center for Competitive Economies, Frank Hawkins Kenan Institute for Private Enterprise, The University of North Carolina at Chapel Hill. That report, along with the recently released report by the Brookings Institution titled Charting Maine's Future: An Action Plan for Promoting Sustainable Prosperity and Quality Places, has provided the committee with numerous topics to explore, including comprehensive models on

R&D collaboration and models for strategic oversight of R&D. It is the committee's intent to receive information on several of those topics at the November 1st meeting; determine the substance of our recommendations, proposed legislation and report at the November 14th meeting; and review the recommendations, proposed legislation and report as drafted by staff at the December 7th meeting.

The committee thus far has made good progress and has received a lot of valuable information, but in order for us to finish our work in a responsible and complete manner an additional meeting and an extension of the reporting deadline is necessary. Thank you for your consideration of this request and please contact either of us if you have any questions. We look forward to hearing from you.

cc: Patrick Norton, Director, OPLA



**Commission To Study Eliminating the Normal Retirement
Age for Corrections Officers and Mental Health Workers**

MEMORANDUM

TO: Representative John Richardson, Speaker of the House, Chair
Senator Beth Edmonds, President of the Senate, Vice-Chair
Legislative Council
c/o David Boulter, Executive Director, Legislative Council

FROM: Senator Ethan K. Strimling, Senate Chair *JEM for Senator Strimling*
Representative John L. Tuttle, Jr., House Chair *JEM for Representative Tuttle*
Commission To Study Eliminating the Normal Retirement Age for Corrections
Officers and Mental Health Workers

DATE: October 13, 2006

RE: Request for Deadline Extension

Pursuant to this committee's authorizing legislation, Resolves of 2005, Chapter 181, we are requesting a limited extension of our reporting deadline. Our current reporting deadline is November 1, 2006. We would like our reporting deadline extended to December 6, 2006.

As events have transpired in the formation of our study commission, only a few weeks exist for us to meet and produce our report. Although we are optimistic that we can carry out our work in fewer meetings than the four authorized by Chapter 181, October scheduling conflicts have arisen for the legislators on the commission, making it difficult for us to give the issues in the resolve the attention they deserve before November. Section 9 of Resolves of 2005, Chapter 181, authorizes the Legislative Council to grant an extension to the commission to complete its study and report. An extension of the report deadline until December 6 should provide the commission the time it needs to complete diligently its examination of the subject of the resolve.

Thank you for your consideration of this request. If you have any questions, please do not hesitate to contact us.

cc: Members, Commission To Study Eliminating the Normal Retirement Age for Corrections
Officers and Mental Health Workers
Patrick Norton, Director, OPLA

WORK PLAN

122nd Legislature

(Interim 2006)

1. **PROJECT:** Commission to Study Eliminating the Normal Retirement Age for Corrections Officers and Mental Health Workers
2. **OBJECTIVE:** Make findings and recommendations, including suggested legislation, regarding retirement benefits for corrections officers and mental health workers and how to fund such retirement plans
3. **PROJECT TEAM:**

Commission – Senator Ethan K. Strimling, Chair
Representative John L. Tuttle, Jr., Chair
Senator Lois A. Snowe-Mello
Representative Richard M. Sykes
Ms. Dell Clarkson
Ms. Laura Fisher
Mr. William Towers
Mr. Scott Burnheimer

Staff – John T. Mitchell, Office of Policy and Legal Analysis
4. **FINAL WORK PRODUCT(S):** Report, including findings, recommendations and proposed legislation, if any
5. **INTENDED AUDIENCE:** Meetings are public; report is submitted to the joint standing committee of the Legislature having jurisdiction over labor matters and to the Legislative Council
6. **ANTICIPATED START & COMPLETION DATES:** Start: November 9, 2006 Complete: December 6, 2006
7. **PROJECT TASKS:**

<u>Key Elements</u>	<u>Person Responsible</u>	<u>Other Staff Resources Needed and Type</u>	<u>Project Schedule</u>		<u>Consultation Needed With</u>	<u>Element Completed</u>
			<u>Start</u>	<u>Finish</u>		
First Meeting	Commission and staff	N/A	November 9, 2006		None	Public and expert testimony; clarification of issues; determination of research needs and analysis direction
Second Meeting	Commission and staff	N/A	November 16, 2006		None	Make findings and recommendations
Third Meeting	Commission and staff	N/A	November 28, 2006		None	Review and amend report draft
Potential Fourth Meeting, If Necessary						
Final Report and Any Proposed Legislation	Commission and staff	N/A	December 6, 2006		None	Report and any proposed legislation completed

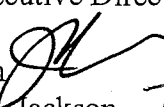
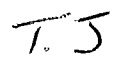
Accepted: _____



***Commission to Study the Henderson Brook Bridge in the
Allagash Wilderness Waterway***

MEMORANDUM

TO: Representative John Richardson, Speaker of the House, Chair
Senator Beth Edmonds, President of the Senate, Vice-Chair
Legislative Council
c/o David Boulter, Executive Director, Legislative Council

FROM: Senator John L. Martin 
Representative Troy D. Jackson 
Commission to Study the Henderson Brook Bridge in the Allagash Wilderness
Waterway

DATE: October 3, 2006

RE: **Work Plan and Budget**

Enclosed please find the work plan and budget for the Commission to Study the Henderson Brook Bridge in the Allagash Wilderness Waterway, which we are submitting in accordance with the requirements set forth in Public Law 2005, Chapter 598, Section 5.

If you have any questions, please do not hesitate to contact us.

Enclosure

cc: Members, Commission to Study the Henderson Brook Bridge in the Allagash Wilderness
Waterway
Patrick Norton, Director, OPLA

WORK PLAN
122nd Legislature
(Interim 2006)

1. **PROJECT:** Commission to Study the Henderson Brook Bridge in the Allagash Wilderness Waterway
2. **OBJECTIVE:** To make recommendations on the design of a bridge to replace the existing Henderson Brook Bridge
3. **PROJECT TEAM:** Jill Ippoliti, Karen Nadeau Drillen, LA's, Alison Ames – Researcher, Donna Hurley, Secretary
4. **FINAL WORK PRODUCT(S):** Report with findings and recommendations; authorized to introduce legislation
5. **INTENDED AUDIENCE:** Joint Standing Committee on Agriculture, Conservation and Forestry
6. **ANTICIPATED START & COMPLETION DATES:** Start: September 22 Complete: January 15

7. **PROJECT TASKS:**

<u>Key Elements</u>	<u>Person Responsible</u>	<u>Other Staff Resources Needed and Type</u>	<u>Project Schedule</u>		<u>Consultation Needed With</u>	<u>Element Completed</u>
			<u>Start</u>	<u>Finish</u>		
Coordinate a visit to the bridge site. Articulate the commission's task & facilitate discussion on designs for the bridge and possible relocation of motor vehicle access to the watercourse.	Jill & Karen	Construct an e-mail distribution list for interested parties – Donna Make arrangements for meeting space & lunches; coordinate travel arrangements Obtain USGS topo map	Sept. 7	Sept. 22nd	-Facilities manager-UMaine Ft Kent -Commission Chairs -Advance Engineered Wood Composites Center (AEWC) -North Maine Woods	Meeting held Sept. 22 nd at the Violette Wilderness Camp and Henderson Brook Bridge
Visit the Advanced Engineered Wood Composites Center; Answer questions generated at 1 st meeting	Jill & Karen	Make arrangements for meeting at UMaine; Send inquiries to individuals and agencies in preparation for meeting	Sept. 25	Oct. 13	-Eric Cassidy AEWC -AG's office -LURC - Jay Clement, Army Corps of Engineers	Facilities reserved Initial contacts made with consultants Notices sent
Prepare materials to facilitate discussion and decision-making on recommended bridge design and location of watercourse access.	Jill and Karen		Oct. 16	Nov. 17		
Based on the commission's recommendations, determine	Jill & Karen	Prepare drawing and map for inclusion in final report – Alison	Nov. 20	Dec. 8	Chairs	

if legislation is necessary

Draft report and
implementing legislation if
needed

Circulate draft report via e-
mail with request for
comment back by Dec. 15

Make final edits and send to
printing

Format report to conform to final
study report guidelines - Donna

Dec. 15

Jan. 10

Accepted: _____

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Updated: Tuesday, October 03, 2006

Proposed Study Budget **Commission to Study the Henderson Brook Bridge in the Allagash Wilderness Waterway**

Date: October 2, 2006

Study authorized by: P.L. 2005, c. 598, Sec. 5

Total members: _12_

Members that are legislators: _5_

Members that are not legislators: _7_

Number of authorized meetings (if specified): _at least 6_

Proposed budget:

6 meetings X \$55 per diem X 5 eligible members = \$ 1650 (Personal Services)

6 meetings X \$50 expenses X 5 eligible members = \$ 1500 (All Other)

Copying, mailing and printing costs \$ (All Other)

Additional costs \$ 1,500 (All Other)

for 2 off site meetings & miscellaneous (e.g., consultant, expert services, additional travel costs, public hearing, etc.)

Summary:

	FY <u>06</u>	FY <u>07</u>
Personal Services	<u>\$1,650</u>	<u>0</u>
All other	<u>\$3,000</u>	<u> </u>
	<u>\$4,600</u>	<u> </u>
Total	<u> </u>	<u> </u>

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MEMO

October 25, 2006

TO: Legislative Council

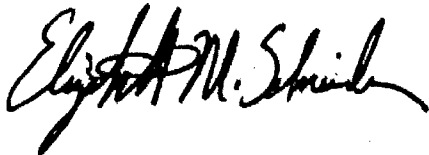
FROM: Senator Elizabeth M. Schneider

RE: Flying of Flag for Veterans Group

The purpose of this memo is to request permission to fly a Marine Corp flag over the State House for the duration of the day on November 10th. It is my understanding that this request has been carried out for many years prior to my service as State Senator of District 30. I would appreciate the flag to be raised on the morning of November 10th and for it to remain flying atop the State House throughout the day. My Legislative Aide has the flag and can provide it to you when ready.

Please let me know if you have any questions regarding this matter. My Legislative Aide, Darek Grant can be contacted at 287-1515. Thank you for your understanding.

Sincerely,



Elizabeth M. Schneider
Maine State Senate
District 30

Boulter, David

From: Ted KOFFMAN [koffman@coa.edu]
Sent: Thursday, October 12, 2006 6:49 PM
To: Boulter, David
Cc: Rector, RepChris; ron beard
Subject: Presentation to Leg. Council

Dear David,

Last December Reps. Chris Rector, Deb Simpson and Sen. Scott Cowger, and I participated in a workshop in Chicago sponsored by the Policy Consensus Initiative (Sen. Turner's plane couldn't land due to a snowstorm). Titled "Beyond Bickering: Addressing Tough Issues in the Legislature and Community, legislators from several other states joined us to explore collaborative approaches to achieving consensus on policy matters. The program also focused on the role of legislators as "conveners" of community discussions about issues in their districts.

I won't go into detail here, but since participating in that workshop Rep. Rector and I have thought how valuable it could be for our colleagues to learn about the approaches and communication methods which often prevent potential conflicts while building collegiality.

In these days of term limits, we think it would be particularly valuable to include this in the legislative orientation program. We would like to have ten minutes to present this idea to the Legislative Council at their October 26th meeting.

Thanks for forwarding this request on to Leadership. My best, Ted

October 25, 2006

David Boulter, Executive Director
Legislative Council
115 State House Station
Augusta, Maine 04333-0115

Dear David:

The Maine Indian Tribal-State Commission (MITSC) requests that a minimum of one session be scheduled during January 2007 to brief incoming and returning legislators regarding the Maine Indian Claims Settlement Act, Maine Implementing Act, overview of the Wabanaki Tribes, responsibilities of MITSC, and current priority issues concerning tribal-state relations. MITSC stands ready to work with you and legislative leadership on planning this requested session to maximize its usefulness and efficacy.

Thank you for incorporating this session into the overall orientation program for the 123rd Maine Legislature.

Sincerely,

John Dieffenbacher-Krall
Executive Director

cc: MITSC Commissioners

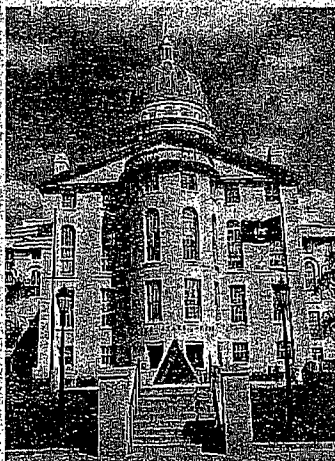
PROGRAM OVERVIEW

Delegations are formed at local schools, YMCA's and Boys & Girls Clubs.

Delegates write bills and select candidates to run for leadership positions.

Participants must attend one of the three regional election and training sessions.

Weekend Session at the State House where participants get a chance to experience the legislative process first hand.



Leadership Positions To Be Elected at Training Sessions

Each Region will elect, 7 Senators, 1 Newspaper Editor and 3 Newspaper Correspondents in addition to the following

Central Region Officers

Governor's Candidate
Senate & House Chairs:
Business & Labor
Transportation
Justice

President of the Senate
Lobbyist for
Education
Financial Affairs
Agriculture

Clerk of the House
Secretary of State
Commission of Natural Res.
Commission of Human Services
Sgt at Arms Senate

Southern Region Officers

Governor's Candidate
Senate & House Chairs:
Agriculture
Education
Financial Affairs

Governor Ben Goodman
Lobbyist for
State Government
Natural Resources
Human Services

Chief of Staff
Attorney General
Commission of Economic Dev
Commission of Transportation
Sgt at Arms House

Northern Region Officers

Governor's Candidate
Senate & House Chairs:
State Government
Natural Resources
Human Services

Speaker of the House
Lobbyist for
Business & Labor
Transportation
Justice

Secretary of the Senate
State Treasurer
Commission of Education
Commission of Agriculture
Chaplain of the Senate

PROGRAM FEES

Regional Training Session.....\$15.00

Augusta Weekend Session.....\$85.00

Fees include all meals and all program materials



YMCA CAMP OF MAINE

YOUTH IN GOVERNMENT Y 2007 Y



Regional Elections and Training Sessions

Northern Region

March 10th, 2007

Ashland Community High School, Ashland, Maine

Central Region

March 17th, 2007

Lawrence High School, Fairfield, Maine

Southern Region

March 24th, 2007

Leavitt Area High School, Turner, Maine

Augusta Weekend Session

State House, Augusta

April 27-28-29, 2007

To register and for more information go to:

www.yiginme.org



**2007 Youth Governor
Benjamin Goodman
Kennebunk HS**

To begin a delegation from
your school or club:

Get a group of interested students, delegations can be any size. We have delegations of 1 and others of 30.

Find an interested adult who will help with your delegation, it can be a teacher, Y-Staff, or any interested adult.

Go to our website www.yiginme.org, to get all the forms and information about our program.

Have your delegation draft bills to be submitted.

Decide what leadership positions your delegation wants to be nominated to at Election at Training Sessions.

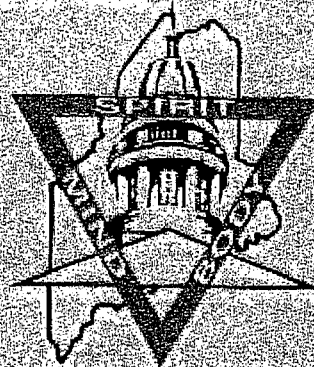
Decide what Election and Training Session your group will attend.

Register your delegation, at the website



Roles Delegates fill in Augusta

- 151 Members of the House of Representatives
- 34 Members of the Maine State Senate
- 15 Members of the Newspaper Staff
- 10 Members of the Governor's Cabinet
- 9 Lobbyists
- 9 Committee Chairpersons (Senators)
- 9 Committee Co-Chairpersons (Representatives)
- 6 House / Senate Leadership
- 1 Youth Governor



Everyone has a chance to say what they believe; it is a weekend that I won't forget
--Quote from a participant evaluation from 2006

THE GOALS OF THE YOUTH IN GOVERNMENT PROGRAM ARE:

- To provide a first hand experience in the workings of government
- To provide an awareness of present issues and concerns of the State of Maine
- To develop leadership skills in those who participate
- To provide opportunities for students to be independent thinkers
- To allow students to be involved citizens seeing how issues facing the State of Maine can be addressed
- To learn how to help make positive change in your school, and community.



WHO MAY PARTICIPATE?

- Any High School age student in grades 9 to 12.
- Schools may have any number of participants.
- Our program is also open to those students who are home schooled.
- We have delegations of 1 and groups of 30 +.
- Delegations may represent Hi-Y clubs, Leaders Clubs, Key Clubs, Student Councils, Boys & Girls Clubs or any group from your school.
- Participants must attend one of the regional training session to be eligible for the Augusta session.

Drafting a Bill

To draft a bill to change an existing law in Maine, or create a new law or program in our State.

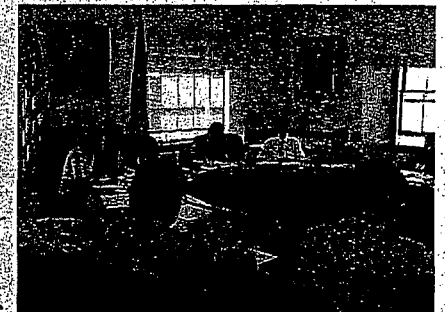
Bills may be sponsored by one student or a group of students.

Bills may be to create a new law, or alter an existing law.

Bills must be directed at State Laws and programs.

Bills may be constitutional amendments, or joint proclamations.

We encourage every participant to sponsor a bill as it make the weekend program more interesting as you work to get your bill through the weekend



"I can never have a closed mind. I can have an opinion but I can still see other's peoples viewpoints."

--Quote from a participant evaluation from 2006

State YMCA Camp of Maine YOUTH IN GOVERNMENT™

We build strong kids, strong families, strong communities.

The YMCA Youth in Government program takes place in 41 States, and is the largest teen program operated by the YMCA of the USA with over 21,000 participants in 2005.

Program's basic premise is to give students a first hand experience in Civic Education, the national motto for Youth in Government, is "DEMOCRACY MUST BE LEARNED BY EACH GENERATION" we do this by allowing participants to see what does it take for a bill become a law, and what does it take for an idea for a change to go from a thought to a law.

Program Goals:

- *To provide a first hand experience in the workings of government in Maine*
- *To provide an awareness of present issues and concerns of the State of Maine*
- *To develop leadership skills in those who participate*
- *To provide opportunities for students to be independent thinkers*
- *To make our students truly involved citizens*
- *To learn to make positive change in the schools, and communities*
- *To have a chance to work and meet with other student leaders from around our State.*
- *To provide a unique opportunity in Civic Education.*

First YMCA Youth in Government program was held at the State House in 1941.

Program has been held at the State House approximately 50 times, no records of the program in the late 1940's. During the 70's program wasn't held a couple of years.

Program has annually 170 to 250 participants, in the past 10 years over 1000 different students have been a part of the Youth in Government program.

In the past 10 years over 30 different High Schools have participated in the program. These schools range from Wisdom in St. Agatha to Sanford High School, and from Machias Memorial High School, to Oxford Hills High School. Students have come from small rural schools like Carrabec High School, to large urban schools like Lewiston High School

Program partners closely with many high schools from all over the State of Maine, the local YMCA's from Maine, and the Boys and Girls clubs to bring a cross section of our State to the State House to create as closely as possible the legislative process.

Youth in Government is unique in that students are not selected by anyone, students who attend choose to be a part of the program, and most do because it is at the State House.

The State House creates a reality for the participants that no other location can. Students annually on their evaluations say they wouldn't participate if the program wasn't at the State House. It allows them to feel that they really are a Model Legislature.

Each year we ask our participants "What is your favorite part of the program, something we shouldn't change."

Their responses were 132 of the 178 listed their #1 thing being at the State House was the best part of the program. It was followed by, being able to speak their opinions freely on issues they see as important to Maine, and getting to meet students from other schools.

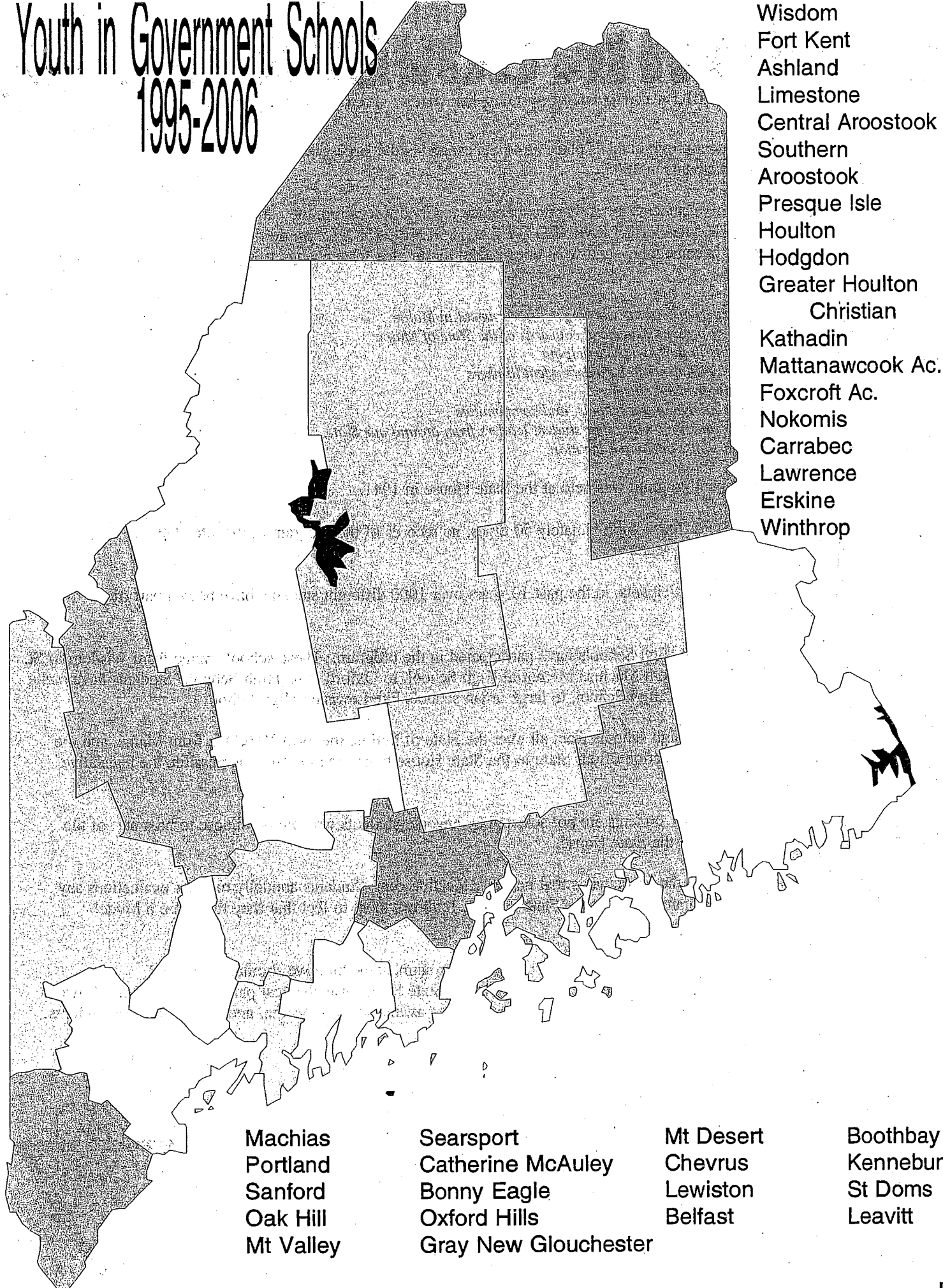
We have had a long history of working closely with the people here at the State House, from the days when May Ross was the Chairperson of the Youth in Government committee.

We have had members of the Maine Legislature who were alumni of our program, and members who have been active participants as advisors and chaperones for delegations. Including Rep Chris Babbidge of Kennebunk, former Representative Jean Dellert. Many others have come and served as advisors in our committee sessions, and even as host families for delegates.

Democracy must be learned by each Generation



Youth in Government Schools 1995-2006





STATE OF MAINE
HOUSE OF REPRESENTATIVES
CLERK'S OFFICE
2 State House Station
Augusta, Maine 04333-0002

Millicent M. MacFarland
Clerk of the House

October 26, 2006

The Honorable John Richardson
Chair, Legislative Council
2 State House Station
Augusta, Maine 04333-0002

Dear Mr. Chairman:

The following proposed schedule is hereby submitted for consideration by the Legislative Council for Document Service for the First Regular Session of the 123rd Legislature. I am proposing that the rates be increased by approximately 5% due to the rise in postage and an expected increase in printing costs.

All items listed below are available on the Legislature's website.

	Rates 122nd 1st Reg. Session	Proposed Rates 123rd 1st Reg. Session
1. Bills & Resolves (L.D.s) FIRST CLASS-Mailed Daily	\$550.00	\$580.00
2. Bills & Resolves (L.D.s) FIRST CLASS-Mailed-Twice Weekly	450.00	475.00
3. Bills & Resolves (L.D.s) THIRD CLASS-Mailed Twice Weekly	350.00	370.00
4. Bills & Resolves (L.D.s) PICKED UP AT DOCUMENT ROOM	200.00	210.00
5. Amendments (Combined with any Legislative Document Service)-Mailed Weekly	130.00	140.00
6. Amendments PICKED UP AT DOCUMENT ROOM	80.00	84.00
7. Legislative Record FIRST CLASS-Mailed Weekly	140.00	150.00
8. Legislative Record PICKED UP AT DOCUMENT ROOM	90.00	95.00
9. Public & Private & Special Laws, Resolves, & Constitutional Resolutions FIRST CLASS-Mailed Weekly	300.00	315.00
10. Public & Private & Special Laws, Resolves & Constitutional Resolutions PICKED UP AT DOCUMENT ROOM	150.00	160.00

11. Weekly Computer Printout-Status of Bills FIRST CLASS MAIL	250.00	265.00
12. Weekly Computer Printout-Status of Bills PICKED UP AT DOCUMENT ROOM	60.00	63.00
13. Advance Notice of Public Hearings on Bills FIRST CLASS-Mailed Weekly	30.00	32.00
14. Weekly Listings of Bills Printed & Enacted FIRST CLASS MAIL	30.00	32.00
15. Joint Resolution FIRST CLASS MAIL	80.00	84.00
16. House & Senate Daily Calendars FIRST CLASS-Mailed Weekly	65.00	70.00
17. House & Senate Daily Calendars with Supplemental Calendars FIRST CLASS-Mailed Weekly	135.00	142.00
18. Legislative Council-Notice of Preliminary Agenda and Minutes, After Deadline List Pre and Post Versions	175.00	185.00
19. Weekly Legislative Calendar FIRST CLASS MAIL	30.00	32.00
20. Roll Call Votes (House & Senate) FIRST CLASS MAIL-Mailed Weekly	85.00	90.00
21. Roll Call Votes (House & Senate) PICKED UP AT DOCUMENT ROOM	25.00	27.00

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

Sincerely,

Millicent M. MacFarland

Millicent M. MacFarland
Clerk of the House

PAUL E. MAYOTTE
DIRECTOR
LEGISLATIVE INFORMATION SERVICES

TEEN ELLEN GRIFFIN
LEGISLATIVE INFORMATION OFFICE
MANAGER




MAINE STATE LEGISLATURE
OFFICE OF LEGISLATIVE INFORMATION SERVICES

MEMORANDUM

TO: Representative John Richardson, Speaker of the House, Chair
Senator Beth Edmonds, President of the Senate, Vice-Chair Legislative Council
Legislative Council Members

cc: David Boulter, Executive Director, Legislative Council

FROM: Paul Mayotte, Director, Legislative Information Services 

DATE: October 23, 2006

SUBJECT: Recommendation to Replace the Wang Based Bill Production Tracking and Reporting Applications

Background:

The Legislative Offices producing bills and amendments, ROS, OPLA and OFPR, currently use a Wang based Bill Tracking and Reporting System to track and status bills and amendments being drafted. The Internal Bill Status System is used by the Legislative Information Office to track and provide the status of bills in the Committee process and other internal status measurements.

The software for these applications currently runs on the Wang and as part of the phase-out of the Wang these functions need to be moved to a modern systems platform.

The Offices using the existing software agree that the existing software functionality meets their needs and with improvements in several areas such as search and the ability to develop reports, a converted application will continue to meet their needs.

Approach:

It is recommended to the Legislative Council to proceed with a conversion and consolidation of the existing Wang software to a modern client server environment. In order to accomplish a conversion of the software in short timeframe and in a cost effective manner this would be accomplished using a qualified technical firm with the specialized tools and experience to rewrite the existing Wang code, convert historical data and add a limited number of functional improvements at the same time.

The benefits of this approach include:

1. Short timeframe, this process can be accomplished and the software in service for the start of the 2nd Session
 - a. Based on the existing system there is no long development cycle
 - b. The process uses automated tools to convert the existing software and data
2. The use of automated conversion tools reduces the overall cost vs. a total rewrite of the code
3. Proven methodology minimizes the technical risk
4. Provides a modern technical environment that can be supported and improved internally, and allows for the efficient exchange of data between applications
5. Low impact on the users with minimal training required
6. Provides for the conversion of and access to previous session's historical data

Wang Systems Conversion Vendors:

Several potential vendors were identified, but they had phased out of the business (there are less than 200 Wang systems remaining in use) or did not have the experience with systems like the Legislature's. A qualified New Hampshire based vendor providing this service, Voyager Systems, Inc. was identified. No other acceptable firms with the needed expertise were identified.

Voyager Systems conducted a review of the applications and provided the Legislature with a priced proposal to convert the existing Wang applications, historical data and improve functions.

Project Cost Estimate:

Migration Engineering Services	\$253,500
Project Reserve	\$ 30,000
Total Project Cost	<u>\$283,500</u>

Schedule:

Contract Award	November 2006
Projected Work Start	January 2007
Projected Work Complete	July 2007
Training and Prep Work	July 2007 – October 2007
In Production	October 2007

Recommendation:

That the Legislative Council authorize the Executive Director to proceed with contract negotiations with Voyager Systems Inc. and to enter into a firm fixed price contract for the conversion of the Wang Tracker/Status applications to a modern technical environment including historical data conversion and specified functional improvements.

c: David Boulter, Executive Director