

MAINE STATE LEGISLATURE

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124TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

TO: Hannah M. Pingree, Chair
Elizabeth H. Mitchell, Vice-Chair
Legislative Council

Members of the Legislative Council

FROM: ^{D.B.} David E. Boulter, Executive Director

DATE: June 5, 2009

RE: Consideration of Proposed Legislative Studies

The Legislative Council will meet on Tuesday, June 9, 2009 at 1:30 p.m. to consider proposed legislative studies. Attached are background materials on the proposed studies for the upcoming legislative interim. The materials consist of:

1. A suggested protocol for considering the proposed studies;
2. A copy of Joint Rule 353 regarding the Legislative Studies (see subsection 10 for reference to the study table);
3. A copy of the Council-approved policy for legislative studies;
4. A spreadsheet listing the proposed legislative studies (blue paper) and other activities requiring Council action (yellow paper) along with summary information related to each proposed study, including the estimated cost of each study. The studies are sorted by committee/policy area; and
5. Copies of the engrossed version (or the latest version available) of the applicable bill, resolve or joint order.

As you will see when you review these materials, the estimated cost to fund all of the proposed studies and reviews necessitating meetings for various joint standing committees is \$232,960 in FY 10: \$31,960 (General Fund) and \$201,000 (Other Special Revenue). \$2,990 (General Fund) would be required in FY 11. The amount budgeted for legislative studies in the General Fund account is \$10,000 in FY 10 and \$10,000 in FY 11.

The Legislative Council will meet on Tuesday, June 9 in the Legislative Council Chamber at 1:30 p.m. to decide the study requests. **PLEASE BRING THIS MATERIAL WITH YOU TO THE LEGISLATIVE COUNCIL MEETING.** Thank you.

Attachments

cc:

Joy O'Brien, Secretary of the Senate
Millie MacFarland, Clerk of the House
Patrick Norton, OPLA Director
Grant Pennoyer, OFPR Director
Meg Matheson, Revisor of Statutes
Rose Breton, Leg. Finance Director
Chiefs of Staff

124th Legislature
Legislative Council Meeting
Review of Legislative Study Proposals
June 9, 2009

Requirements Relevant to Studies in the First Regular Session

Under the terms of the Joint Rules of the 124th Legislature, section 353, all joint orders and legislation proposing legislative studies regardless of funding source must be placed on a special study table. The Legislative Council must review proposed studies and establish priorities for allocation of budgetary and staffing resources.

For studies authorized by the Legislative Council, the Legislative Council must provide funds sufficient to enable the committee to reasonably conduct and complete the requirements of the studies.

Also under the Joint Rules, the Legislative Council must adopt a policy relating to preparing study legislation. During the 123rd Legislature, the Legislative Council unanimously adopted a policy on legislative studies. Joint Rules and the related council policy specify the manner of appointment, selection of chair, compensation of members, report date and other relevant as part of study legislation. Copies of the Joint Rule and the adopted policy are attached.

Suggested Protocol for Authorizing Legislative Studies

- The Legislative Council will review study requests alphabetically by policy area.
- Voting will be by a show of hands, and each Legislative Council member's vote on each bill will be recorded. The record of each vote will be made available for public inspection following the meeting. A 2/3rds majority is required to authorize any study reporting to a subsequent Legislature.
- Committee chairs and others are welcome to observe the Council's deliberations on the study requests, but discussion of the requests will be confined to council members. However, Legislative Council members may ask questions of committee chairs and other legislators regarding the proposed study if needed.
- Unless otherwise specified by the Legislative Council, authorized studies are to be drafted consistent with applicable standards and policies approved by the Council. Floor amendments to authorized studies making Council-authorized changes will be prepared in the name of the Senate Majority Leader, except for studies tabled in the House will be in the name of the House Majority Leader.

Policy Issues Needing Decision

1. **Number of authorized meetings and meeting location-Recommendation:** Unless otherwise specified by the Legislative Council, the number of study meetings is not to exceed four (4) and meetings are to be held in the Augusta area.

2. **Studies conducted using non-General Fund sources-Recommendation:** When a study committee is required to be funded by outside funds, the study committee may not convene until sufficient funds are received to pay for the study.
3. **Interim committee meetings-Recommendation:** Unless authorized by law or joint order, joint standing committees may not meet during the interim for any purpose without the prior written approval of the presiding officers. Committees wishing to meet must submit a written request to meet to the presiding officers indicating the number of meetings requested, the purpose of the meetings and the date of the meeting. Committee clerks will not be authorized for interim committee meetings.

JOINT RULE 353 LEGISLATIVE STUDIES

Rule 353. Legislative Studies.

To assist in the exercise of its duties, the Legislature may establish legislative study committees or may alternatively refer matters to joint standing committees or subcommittees of joint standing committees for study. This Joint Rule establishes standards that govern the drafting of legislative study instruments and the authorization of legislative studies. All legislative studies must be consistent with this Joint Rule and with Legislative Council policies adopted under this Joint Rule. A joint standing or joint select committee may not, except upon the prior approval of the Legislative Council, report to the Legislature any bill, resolve or joint order proposing a legislative study that is inconsistent with this Joint Rule.

- **1. Definitions.** For the purposes of this Joint Rule, the following terms have the following meanings:
 - A. The term “legislative study” or “legislative study committee” means any group of individuals established in an Act, Resolve or Joint Order or by the Legislative Council, except those exempted under policies adopted by the Legislative Council, whose duties include studying and reporting to the Legislature on any matter or advising the Legislature on any matter and that requires the use of legislative resources;
 - B. The term “legislative resources” means the expenditure of any funds appropriated or allocated to the Legislative Account, the appointment of one or more persons by the Legislature, the inclusion of one or more legislators as members of the legislative study committee or the use of Legislative Council staff; and
 - C. The term “non-legislative study” or “non-legislative study group” means any group of individuals directed by legislation to report back to the Legislature on any issue but that is not otherwise a legislative study.
- **2. Establishing legislative studies.** A legislative study may only be created by joint study order, unless the instrument directs an agency or a person who is not a legislator to take an action or has an existence that extends beyond the Legislature in which it is introduced. A joint standing committee may report out a joint study order requesting that a study be conducted.
- **3. Appointment of members.** A majority of legislative study members must be legislators and the legislative study committee must be chaired by legislators appointed in a manner consistent with subsection 4. The legislative study committee must include members of the 2 parties holding the largest number of seats in the Legislature. All members of legislative study committees established

by joint study order must be appointed by the presiding officers: Senate members by the President and House members by the Speaker. Members of a legislative study created by joint study order who are not legislators must be appointed either by the President or the Speaker. Legislative studies may include a minority of non-legislative members appointed by someone outside the Legislature. Joint appointment of members is not permitted.

- **4. Appointment of chairs.** Legislative studies having more than 5 members must be cochaired by legislators. The first appointed Senate member must be the Senate chair and the first appointed House member must be the House chair. Legislative studies having 5 or fewer members must have a single legislative chair appointed by the presiding officer of the body of the originating study order or legislation. The chair of a legislative study having 5 or fewer members shall appoint a chair pro tem from among the appointed members to serve in the chair's absence.
- **5. Committee size.** Legislative study committees may consist of no fewer than 3 and no more than 13 members.
- **6. Staffing.** Unless the Legislative Council directs otherwise, Legislative Council staff will only be assigned to legislative studies that conform to this Joint Rule.
- **7. Reporting dates.** All reports of legislative study committees that are to be submitted to a first regular session 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 legislative study committees that are to be submitted to a second regular session must be completed and submitted not later than the first Wednesday in December preceding the convening of the second regular session. Upon request of the study committee, the Legislative Council may extend the reporting date, except that the extension may not go beyond December 15th in odd numbered years or beyond the first Wednesday of December in even numbered years.
- **8. Legislation may not be introduced by legislative studies or non-legislative study groups.** Legislative and non-legislative study committees or groups may include proposed legislation in their reports to the Legislature, but are not authorized to introduce legislation. Upon receipt of a report submitted by a legislative or non-legislative study committee or group, the joint standing committee to which the report is submitted, or the appropriate joint standing committee of jurisdiction in the event that the report is submitted to the Legislature as a whole, may introduce a bill during the session to which the report is submitted to implement its recommendations on matters relating to the study.
- **9. 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, upon demonstration of financial

hardship, a per diem equal to the legislative per diem for their attendance at authorized meetings of a study committee.

- **10. Study table.** All joint study orders or legislation proposing legislative studies must be placed on a special study table in the Senate or House. The Legislative Council shall review the proposed studies and authorize the allocation of budgetary and staffing resources for those studies.
- **11. Legislative Council study policies.** The Legislative Council shall adopt policies governing legislative studies at the beginning of each legislative biennium. Those policies may include conditions on the funding of legislative studies, exceptions to this Joint Rule, drafting standards or other provisions necessary to satisfy the requirements of this Joint Rule.



SEN. BETH EDMONDS
CHAIR

REP. GLENN A. CUMMINGS
VICE-CHAIR

123RD MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

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REP. SEAN FAIRCLOTH
REP. ROBERT H. CROSTHWAITE

**Maine Legislative Council Policy
On Legislative Studies**

1. Introduction

On March 22, 2007, the Legislative Council unanimously endorsed revisions to Joint Rule 353 and revisions to Legislative Council policies proposed by a Legislative Council subcommittee established to study the legislative study process. On May 15, 2007, the Legislative Council's proposed revisions to Joint Rule 353 were adopted by the House and the Senate, as amended by the Joint Select Committee on Joint Rules.

Joint Rule 353, Section 11, requires the Legislative Council to adopt policies governing legislative studies at the beginning of each legislative biennium. Pursuant to that authority, the Legislative Council adopts this policy on legislative studies to establish policies and procedures governing the Legislative Council's authorization of legislative studies, conditions on the funding of legislative studies, exceptions to the definition of legislative study, legislative study drafting standards and other provisions necessary to satisfy the requirements of that Joint Rule 353.

2. Council authorization of legislative studies

Legislative studies are authorized only upon the approval of a majority of the Legislative Council during its review of the study table, except that the approval of a 2/3rd majority of the Legislative Council is required to authorize a legislative study that is required to submit a report to a subsequent Legislature.

3. Funding of legislative studies

The Legislative Council shall establish a study line in the Legislative Account to which legislative studies are budgeted and study expenses charged. That study line must include funds appropriated by the Legislature for those purposes and funds allocated by the Legislature from other departmental accounts to the Legislative Account for the purposes of funding a legislative study. The Legislative Council shall also 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.

4. Acceptance of private contributions to support legislative studies

Private financial or in-kind contributions to support the work of legislative studies may not be accepted from any party having a pecuniary or other vested interest in the outcome of the study. Any person, other than a state agency, authorized and desiring to make a financial or in-kind contribution must certify to the Legislative Council that it has no pecuniary or other vested interest in the outcome of the study. All such contributions are subject to the approval of the Legislative Council. All accepted contributions must be forwarded to the Executive Director of the Legislative Council along with an accounting record that includes the amount of contributions, the date the contributions were received, from whom the contributions were received and the purpose of and any limitation on the use of those contributions. The Executive Director of the Legislative Council shall administer the contributions and shall notify the chairs of the legislative study committee when those contributions have been received. If funding for a legislative study is contingent upon receipt of private contributions and sufficient contributions have not been received within 30 days after the effective date of the study instrument, then no meetings of the study are authorized and no study-related expenses of any kind may be incurred or reimbursed.

5. Exceptions to Joint Rule 353

The following limited exemptions to Joint Rule 353 are provided:

- A. Boards and commissions created in statute and codified in Title 5, chapter 379 are exempted from the provisions of this Joint Rule, except that the use of new legislative financial resources or Legislative Council staffing by a new Board or commission or as the result of an amendment to an existing Board or commission shall be referred to a special study table for review and approval by the Legislative Council regarding the use of those resources;
- B. Legislation directing an agency or a group of stakeholders to study and report to the Legislature on any matter may include the appointment of not more than two members of the Legislature, provided that the report of the agency or group is required to be submitted within the biennium in which the legislation is introduced, that there are no other legislative appointments required, that the legislators are appointed consistent with subsection 3 and that no other legislative resources are required. Legislation creating such groups must be referred to a special study table for review and approval by the Legislative Council regarding the use of those resources; and
- C. Notwithstanding Joint Rule 353, section 8, a joint select committee established in a manner consistent with Joint Rule 351 may, if so authorized in joint order establishing the joint select committee, introduce legislation to implement its recommendations.

6. Council review of committee requests to vary from Joint Rule 353

Pursuant to Joint Rule 353, joint standing and joint select committees may not, except upon the prior approval of the Legislative Council, report to the Legislature any bill, resolve or joint order proposing a legislative study that is inconsistent with that joint rule. Such requests must be made in writing to the Legislative and must include the committee's recommended draft language for the proposed study along with a list of the ways in which proposed study does not conform to Joint Rule 353 and an explanation of why those nonconforming provisions are needed. Such instruments reported to the Legislature by a committee with the prior approval of the Legislative Council remain subject to the provisions of Joint Rule 353 which requires that all legislative studies be referred to a special study table for review and funding authorization by the Legislative Council.

7. Authority and effective date

Pursuant to its authority under Joint Rule 353, Section 11, the Legislative Council hereby adopts this policy governing legislative studies on this 24th day of May, 2007.

This policy takes effect on May 24, 2007.

BY: David E. Boulter
David E. Boulter, Executive Director

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Maine State Legislature - Proposed Legislative Studies

LD/Paper	Emer?	Study Name	Policy Area	Purpose	# Members / # Legislators	Start Date	Report Date(s)	Compensation/ Fiscal Costs	Staff	Notes
1 Pg. 21	Y	Study Commission Regarding Teachers' Compensation	EDU	Study all issues surrounding teachers' compensation, including salaries and benefits	7 / 4	No later than July 1, 2009	December 1, 2009: EDU Committee	Legislative per diem and expenses; public members may receive per diem and expenses Fiscal Costs: FY10 \$3,030.00 Source: GF	Legislative Council	On Study Table
2 Pg. 25	Y	Task Force on Kinship Families	HHS	Study issues concerning kinship families	13 / 7	August 1, 2009	December 2, 2009: HHS Committee	Legislative per diem and expenses; public members may receive per diem and expenses Fiscal Costs: FY10 \$4,490.00 Source: GF	Legislative Council	On Study Table
3 Pg. 28	N	Commission to Study Energy Infrastructure (sec. F-4 through F-7)	UTE	Examine the feasibility and effects of the State entering into agreements for leasing or allowing the use of state land for energy corridors	13 / 8	Within 15 days of completion of all appointments	December 2, 2009: Utilities Committee	Legislative per diem and expenses; public members may receive per diem and expenses Fiscal Costs: FY10 \$200,000.00 Source: OSR Public Utilities Commission to transfer funds to the Legislature for the costs of the study and to retain consultants and other experts to assist the commission in its work.	Legislative Council	Unfinished business in House; No Senate action to date

**Maine State Legislature – Study Related Bills with Costs
Or Other Resource Requirements**

LD/Paper	Emer?	Study Name	Policy Area	Purpose	# Members / # Legislators	Start Date	Report Date(s)	Compensation/ Fiscal Costs	Staff	Notes
1 Pg. 33	Y	Task Force on the Sustainability of the Dairy Industry in Maine - Part TTT	ACF	Examine the current problems confronting the dairy industry and develop recommendations	17 / 4	Not specified	November 27, 2009: Governor and ACF Committee	Legislative per diem and expenses; public members may receive per diem and expenses Fiscal Costs: FY10 \$1,680.00 Source: COMMITTED - GF Reflects the cost of paying per diem and expenses to four legislators for 4 meetings. Sub-section 6 states Legislators do not receive per diem.	Department of Agriculture	Signed by Governor (P.L. 2009, c. 213)
2 Pg. 36	Y	ACF Committee Review of LURC Proposed Comprehensive Land Use Plan	ACF	Review LURC proposed comprehensive land use plan	13 / 13	Not specified	No report required	Legislative per diem and expenses Fiscal Costs: FY10 \$2,625.00 Source: GF Budget reflects the estimated cost for the ACF committee to meet one time each fiscal year, including advertising costs. FY11 \$2,625.00 Source: GF	OPLA	On Study Table

Or Other Resource Requirements

LD/Page	Emer?	Study Name	Policy Area	Purpose	# Members / # Legislators	Start Date	Report Date(s)	Compensation/ Fiscal Costs	Staff	Notes
3 Pg. 39	Y	Streamlining of State Government (AFA Committee)- Part QQQ	AFA	Continue the effort to streamline State Government by recommending a spending reduction of \$30,000,000 in the 2010-11 biennium	13 / 13	Not specified	January 6, 2010: Legislative Council	Legislative per diem and expenses Fiscal Costs: FY10 \$9,750.00 Source: COMMITTED - GF Estimated cost for the AFA committee to meet 6 additional times during the interim. Does not factor in the cost for other policy committees to meet if input is needed nor additional staffing costs.	OFPR	Signed by Governor (P.L. 2009, c. 213)
4 Pg. 42	N	Citizen Trade Policy Commission Review of International Trade Agreements	BRED	CTPC to consult with the Maine International Trade Center when it reviews and analyzes trade agreements	22 / 6	Review international trade agreements as needed	No report required	Fiscal Costs: FY10 \$0.00 Source: GF No additional costs if the review and analysis is conducted within the number of authorized meetings and the budget of the Citizen Trade Policy Commission. Potential impact on staff resources.	OPLA (existing staff)	On Study Table

Or Other Resource Requirements

OF OTHER REVENUE REQUIREMENTS											
LD/Paper	Emer?	Study Name	Policy Area	Purpose	# Members / # Legislators	Start Date	Report Date(s)	Compensation/ Fiscal Costs	Staff	Notes	
5	LD0525	N	Criminal Justice and Public Safety Committee Review of Litter Control Laws	CRJ	Review the State's litter control laws regarding the dumping of waste material or unwanted objects on public and private property	13 / 13	Not specified	No report required	Legislative per diem and expenses Fiscal Costs: FY10 \$1,625.00 Source: GF Number of meetings needed to conduct the review of litter laws not known. Budget reflects the cost for the CRJ committee to meet one time.	OPLA	On Study Table
Pg. 45											
6	LD1297	Y	Stakeholder Group to Review the Role of the State Board of Education	EDU	Review the role of the State Board of Education	9 / 2	Not specified	December 1, 2009: EDU Committee	Legislative per diem and expenses Fiscal Costs: FY10 \$840.00 Source: GF Reflects the cost of the per diem and expenses for two legislators to participate as members of the stakeholders group.	DOE	On Study Table
Pg. 47											

Or Other Resource Requirements

LD/Paper	Emer?	Study Name	Policy Area	Purpose	# Members / # Legislators	Start Date	Report Date(s)	Compensation/ Fiscal Costs	Staff	Notes	
7	LD1324	N	State Council on Educational Opportunity for Military Children (ongoing)	EDU	Provide for coordination among state and local agencies and military installations concerning the state's participation in and compliance with the compact	5 / 1	ongoing	Annually: Legislature, Governor, judiciary, state councils	Legislative per diem and expenses Fiscal Costs: FY10 \$420.00 Source: GF Reflects the cost of the per diem and expenses for one legislative member of the State Council. Ongoing costs beginning in FY 10. FY11 \$420.00 Source: GF	Not specified	On Study Table

Maine State Legislature - Study Related Bills with Costs
 Or Other Resource Requirements

LD/Paper	Emer?	Study Name	Policy Area	Purpose	# Members / # Legislators	Start Date	Report Date(s)	Compensation/ Fiscal Costs	Staff	Notes
8 LD0969	Y	Maine Children's Growth Council	HHS	To develop, maintain and evaluate a plan for sustainable social and financial investment in healthy development of the State's young children and their families	30 / 4	Not specified	January 2010 and every 2 years thereafter: Department of Health and Human Services, the Governor	Legislative per diem and expenses Fiscal Costs: FY10 \$1,285.00 Source: GF Ongoing Title V Council - reflects payment of per diem and expenses for 4 legislative members only for 3 meetings in FY 10 FY11 \$2,570.00 Source: GF Ongoing costs of this amount each fiscal year - funds per diem and expenses for 4 legislative members for six meetings beginning in FY 11	May hire staff	On Study Table

*Maine State Legislature - Study Related Bills with Costs
Or Other Resource Requirements*

Of Other Resource Requirements											
LD/Paper	Emer?	Study Name	Policy Area	Purpose	# Members / # Legislators	Start Date	Report Date(s)	Compensation/ Fiscal Costs	Staff	Notes	
9	LD1002	N	Study of the Feasibility of Establishing a Single-payor Health Care System in the State	IFS	Contract with a qualified consultant to update a 2002 study of the feasibility of establishing a single-payor health plan in the State	0 / 0	By October 1, 2009 if funding is received	January 15, 2010: Second Regular Session of the 124th Legislature	Not required Fiscal Costs: FY10 \$5,750.00 Source: GF General Fund appropriation needed to contract for professional services for grant writing and other technical assistance. OSR allocation of \$60,000 provides funds to update the estimated costs and impact of a single-payor health care system.	Contracted consultant	Finally Passed tin House and Senate; On Special Appropriations Table
Pg. 55											

Or Other Resource Requirements

LD/Paper	Emer?	Study Name	Policy Area	Purpose	# Members / # Legislators	Start Date	Report Date(s)	Compensation/ Fiscal Costs	Staff	Notes
10 LD0533 Pg. 58	N	LVA Committee Development of a Comprehensive Policy Regarding Slot-machines and Casino-style Gambling in Maine	LVA	Gather information to develop a comprehensive policy regarding slot machine and casino-style gambling in Maine	13 / 13	Not specified	No report required	Legislative per diem and expenses Fiscal Costs: FY10 \$1,625.00 Source: GF Number of meetings needed for the LVA committee to meet to develop a comprehensive policy regarding the expansion of slot machine and casino-style gambling is not known. Budget reflects the cost for the committee to meet one time.	OPLA	On Study Table
11 LD1080 Pg. 60	Y	Working Group on Landlord and Tenant Issues	LVA	Study the feasibility of obtaining heating fuel assistance and insulating assistance for landlords who serve low-income tenants; study how to keep housing units in proper repair	0 / 0	Not specified	December 2, 2009: LVA Committee	Not needed, no legislators	AG; OPLA drafting assistance	OTP-AM report accepted in House; Tabled in House pending Passage to be Engrossed

**Maine State Legislature - Study Related Bills with Costs
Or Other Resource Requirements**

LD/Paper	Emer?	Study Name	Policy Area	Purpose	# Members / # Legislators	Start Date	Report Date(s)	Compensation/ Fiscal Costs	Staff	Notes
12 LD1470 Pg. 64	N	Working Group to Arrange for a Plaque in the Hall of Flags to Honor Women Veterans	LVA	Design, choose a site, accept donations and make arrangements for the plaque to be displayed in the Hall of Flags	0 / 0	Not specified	January 15, 2010; Executive Director of Legislative Council	Fiscal Costs: FY10 \$500.00 Source: OSR Base allocation of Other Special Revenue funds in the event funds are received for the design and construction of the plaque. Executive Director of Legislative Council to administer funds received.	Bureau of Maine Veterans' Services	Finally Passed in House and Senate
13 LD1310 Pg. 67	Y	Working Group to Examine the Legal and Policy Implications of Groundwater Extraction	NAT	Study the legal and policy implications of groundwater extraction in the State	32 / 6	Not specified	January 10, 2010; Second Regular Session of the 124th Legislature	Legislative per diem and expenses; public members may receive per diem and expenses Fiscal Costs: FY10 \$500.00 Source: OSR Base allocation of Other Special Revenue funds in the event funds are received by the Citizen Trade Policy Commission to contract with experts in the field of international trade agreements.	Potential OPLA involvement (CTPC)	Engrossed in the Senate; Tabled in House pending Final Passage

Or Other Resource Requirements

LD/Paper	Emer?	Study Name	Policy Area	Purpose	# Members / # Legislators	Start Date	Report Date(s)	Compensation/ Fiscal Costs	Staff	Notes
14 LD0353	Y	Taxation Committee Review of the Telecommunications Personal Property Tax - Part P-2	TAX	Review the telecommunications personal property tax and other forms of taxation of telecommunications providers in this State and other states	13 / 13	Not specified	January 15, 2010: AFA Committee	Legislative per diem and expenses Fiscal Costs: FY10 \$3,750.00 Source: COMMITTED - GF Assumes Taxation Committee will meet 2 times to conduct the review and issue the report.	OFPR	Signed by Governor (P.L. 2009, c. 213)

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EDU

LD 522

**Study Commission Regarding
Teachers' Compensation**

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND AND NINE

H.P. 367 - L.D. 522

**Resolve, To Establish the Study Commission Regarding Teachers'
Compensation**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this resolve establishes the Study Commission Regarding Teachers' Compensation to study the issues confronting citizens of this State who depend on the retention of a stable, experienced corps of professional teachers in this State's public schools to ensure that the State's public school students will acquire the knowledge and skills essential for college, career and citizenship in the 21st century; and

Whereas, the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Commission established. Resolved: That the Study Commission Regarding Teachers' Compensation, referred to in this resolve as "the commission," is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of 7 members appointed as follows:

1. One Senator, appointed by the President of the Senate;
2. Three members of the House of Representatives, appointed by the Speaker of the House. In appointing members, the Speaker of the House shall consider geographic distribution;
3. One teacher recommended by the President of the Maine Education Association and appointed by the President of the Senate;

4. One superintendent or member of a school board of a school administrative unit, recommended by the President of the Maine School Boards Association and the President of the Maine School Superintendents Association and appointed by the President of the Senate; and

5. One public member holding a professional position outside of public education in human resources management and specializing in compensation, recommended by the Maine State Council of the Society for Human Resource Management and appointed by the Governor; and be it further

Sec. 3. Chairs. Resolved: That the Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission; and be it further

Sec. 4. Appointments; convening of commission. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. Within 15 days after appointment of all members, the chairs shall call and convene the first meeting of the commission, which must be no later than July 1, 2009; and be it further

Sec. 5. Duties. Resolved: That the commission shall study all issues surrounding teachers' compensation, including salaries and benefits. In conducting its review, the commission shall undertake to examine:

1. The effects on teachers' salaries and benefits of the essential programs and services funding system for public education, including the elements of labor market adjustments, student-teacher ratios and a teachers' salary matrix, and alternatives thereto, including the feasibility of salary differentiations based upon differences in cost of living by region;

2. The effects on teachers' salaries of the minimum teachers' salary law and the existing system of state subsidies for substandard salaries;

3. The relationship between and among teachers' salaries and benefits in school administrative units, the amount and distribution of general purpose aid for local schools and amounts raised locally for the support of public schools;

4. The relationship between teachers' salaries and benefits in this State and in other states;

5. The relationship between teachers' salaries and benefits and salaries and benefits paid to practitioners in other comparable professions;

6. The effects of inflation on the real value of teachers' salaries and the minimum salary amount required by law;

7. Practices in other states that mandate payment of minimum salaries based on experience and education to all teachers and the costs and consequences;

8. Factors relating to the age, experience, recruitment, retention and mobility of the State's corps of professional teachers;

9. Alternatives to salary systems based on college credits or degrees earned and experience, including salary systems based on professional learning, teachers' performance or other factors;

10. Collective bargaining alternatives in determination of salaries and benefits at the local school administrative unit level; and

11. Any other factors that the commission considers relevant to teachers' compensation; and be it further

Sec. 6. Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the commission; and be it further

Sec. 7. Information. Resolved: That in the performance of its duties, the commission:

1. May request statistical data and other information from the Department of Education, the Department of Labor, the State Planning Office or other state agencies, which must provide such information in their possession; and

2. Must provide an opportunity for interested persons, organizations and members of the public to address and submit information to the commission; and be it further

Sec. 8. Report. Resolved: That, no later than December 1, 2009, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Education and Cultural Affairs. The Joint Standing Committee on Education and Cultural Affairs is authorized to introduce a bill related to the subject matter of the report to the Second Regular Session of the 124th Legislature upon receipt of the report.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

HHS

LD 1115

Task Force on Kinship Families

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND AND NINE

H.P. 770 - L.D. 1115

Resolve, To Establish the Task Force on Kinship Families

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Task Force on Kinship Families is created in this resolve in order to study issues facing kinship families; and

Whereas, the task force must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Task force established. Resolved: That the Task Force on Kinship Families, referred to in this resolve as "the task force," is established; and be it further

Sec. 2. Task force membership. Resolved: That the task force consists of 13 members appointed as follows:

1. Four members appointed by the President of the Senate as follows:

A. Two Senators; and

B. One member representing a private nonprofit agency that provides services to kinship families and one member who is a state-licensed pediatrician;

2. Seven members appointed by the Speaker of the House as follows:

A. Five Representatives; and

B. One member who is currently providing primary care for a relative's child and one member representing the Probate Court; and

3. The Commissioner of Health and Human Services or the commissioner's designee; and

4. The Commissioner of Education or the commissioner's designee; and be it further

Sec. 3. Chairs. Resolved: That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the task force; and be it further

Sec. 4. Appointments; convening of task force. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. Within 15 days after appointment of all members, the chairs shall call and convene the first meeting of the task force, which must be no later than August 1, 2009; and be it further

Sec. 5. Duties. Resolved: That the task force shall examine the issues facing kinship families, defined here as family members who care for a relative's child, and how state policies and practices can be crafted to meet the special needs of kinship families. In examining this issue, the task force shall identify existing resources within the State for kinship families, determine the needs of kinship families and gaps in services, review legal and custody issues and concerns for kinship families and create strategies for sustaining and maintaining resources for kinship families; and be it further

Sec. 6. Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the task force; and be it further

Sec. 7. Report. Resolved: That, no later than December 2, 2009, the task force shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 124th Legislature. The Joint Standing Committee on Health and Human Services is authorized to introduce a bill related to the subject matter of the report to the Second Regular Session upon receipt of the report.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

UTE

LD 1485

**Commission to Study
Energy Infrastructure**

Sec. F-4. Commission established. The Commission to Study Energy Infrastructure, referred to in this section as "the commission," is established.

1. Membership. The commission consists of 13 members appointed as follows:

- A. Three members of the Senate appointed by the President of the Senate, including members from each of the 2 parties holding the largest number of seats in the Legislature;
- B. Five members of the House of Representatives appointed by the Speaker of the House, including members from each of the 2 parties holding the largest number of seats in the Legislature; and
- C. Five members appointed by the Governor.

2. Chairs. The first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission.

3. Appointments; convening. All appointments must be made no later than 30 days following the effective date of this section. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. Within 15 days after appointment of all members, the chairs shall call and convene the first meeting of the commission.

4. Duties; corridors; plan. The commission shall examine the feasibility and effects of the State entering into agreements for leasing or otherwise allowing the use of state-owned lands or assets, including submerged lands, the rights-of-way of the state highway system, the federal interstate highway system, state-owned or state-controlled rail corridors or other state transportation corridors, for the installation of lines, cables, pipelines or other structures for the transmission of energy resources, communication transmission systems or related facilities. The commission shall develop a plan governing such agreements that addresses at least the following:

- A. Appropriate valuation, pricing and allocation methodologies to maximize the long-term public value through the most efficient and effective use of the state-owned lands and assets; and
- B. The potential effect of such agreements on renewable energy development in the State, on the development of other energy projects in the State, including but not limited to liquefied natural gas terminals, on energy consumers and ratepayers and on natural resources and the environment.

The commission shall also examine the policy issues relating to the construction or installation in this State of energy facilities greater than 75 miles in length. The commission shall evaluate the need for changes in methods of taxation to ensure protection of the public health, safety and welfare.

In developing the plan, the commission shall review and analyze relevant reports and information, including but not limited to the information, analysis and results of the New England States Regional Energy Blueprint being prepared by ISO-NE for the New England Governors and the New England States' Committee on Electricity. The commission shall also examine and monitor proposed or pending federal energy legislation that may significantly affect energy policy in this State. The commission may

also consider ways in which the State's electric transmission systems, including new lines, system upgrades or the development of a smart-grid, or the development of natural gas systems, including pipelines and liquefied natural gas terminals, can help the State achieve its energy goals.

5. Staff; consultants; other assistance. The Legislative Council shall provide staffing services to the commission. The commission shall seek input from relevant agencies, stakeholders and persons with expertise. All agencies with relevant expertise shall provide technical or other assistance requested by the commission. The commission may retain consultants and other experts to assist the commission in its work.

6. Report. No later than December 2, 2009, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 124th Legislature. The Joint Standing Committee on Utilities and Energy may submit a bill related to the subject matter of the report to the Second Regular Session of the 124th Legislature after receipt of the report.

Sec. F-5. Legislative review of corridor plans.

1. Definitions. For purposes of this section, the following terms have the following meanings:

A. "Energy facilities" means lines, cables, pipelines or other structures for the transmission of energy resources, including but not limited to electricity, natural gas or oil.

B. "Significant occupancy agreement" means an occupancy agreement that:

(1) Involves a high-voltage direct current electric transmission line;

(2) Involves energy facilities greater than 75 miles in length; or

(3) Is substantially different from any previous occupancy agreement entered into by a state authority, including, but not limited to, with respect to the type of transportation corridors to be occupied, the manner of occupancy by energy facilities, the physical extent of occupancy by energy facilities, the type of energy facilities involved or the amount or calculation of any required consideration.

C. "State authority" includes but is not limited to the Governor, the Department of Transportation, the Maine Turnpike Authority or any other state entity, agency or authority.

D. "Transportation corridors" means the state highway system, the federal interstate highway system, state-owned or state-controlled rail corridors or other state transportation corridors.

2. Prohibition. A state authority may not enter into a significant occupancy agreement allowing the installation of energy facilities in state transportation corridors until a law approving a plan governing such agreements is enacted. A state authority may not issue a permit for an energy facility greater than 75 miles in length until this section is repealed. A state authority may not sell or lease state lands for the installation of an energy facility greater than 75 miles in length until a law approving a plan governing the sale or lease of state lands for such installations is enacted. Notwithstanding any other statutory provision or exemption, any person proposing to construct a transmission line greater than 75 miles in length and operating at greater than 69 kilovolts must obtain a certificate of public

convenience and necessity as required by the Maine Revised Statutes, Title 35-A, section 3132.

3. Limitations; exceptions. Nothing in this section prohibits a state authority from undertaking feasibility studies or exploratory negotiations for a significant occupancy agreement. Nothing in this section prohibits a state authority from entering into a limited agreement to engage in further negotiations regarding a significant occupancy agreement after enactment of law approving a plan governing such agreements, provided that any such limited agreement is subject to the express condition that all such further negotiations will occur only if permitted by and only in accordance with all provisions, terms, conditions and limitations of that plan. A state authority shall ensure that any study, negotiation or preliminary agreement is undertaken or entered into with the full awareness of all parties of the provisions of this section. Nothing in this section prohibits a state authority from entering into an agreement allowing occupancy of state transportation corridors by energy facilities for which an application for a certificate of public convenience or necessity was pending before the Public Utilities Commission on April 1, 2009, provided the occupancy agreement does not involve substantially different terms or conditions from any previous occupancy agreement entered into by a state authority with respect to the type of transportation corridors to be occupied, the manner of occupancy, the physical extent of occupancy or the amount or calculation of any required consideration. Nothing in this section prohibits a state authority from issuing permits for energy facilities for which an application for a certificate of public convenience or necessity was pending before the Public Utilities Commission on April 1, 2009. Nothing in this section is intended to apply to the operation, maintenance or alteration of licensed or permitted operating pipeline facilities or their appurtenances, including but not limited to tanks, piers, pumps and valves, that were installed prior to the effective date of this Act, even if such operation, maintenance or alteration activity requires a permit from a state authority. Nothing in this section prohibits any state authority from entering into a submerged lands lease for any pier and appurtenances related to a licensed marine oil terminal facility, as long as the application for such lease was pending prior to the effective date of this Act. Nothing in this section amends or alters the jurisdiction of any state authority or agency, including but not limited to the Public Utilities Commission and the Board of Environmental Protection, regarding the siting or determination of need for any energy facilities that may be the subject of a significant occupancy agreement or exempts any energy facilities from obtaining approvals required by applicable law. Nothing in this section prohibits a state authority from issuing a permit or license pursuant to authority delegated to the State by federal law.

4. Repeal. This section is repealed upon the effective date of a law approving plans in accordance with subsection 2 that specifically indicates legislative intent to repeal this section or 90 days after the adjournment of the Second Regular Session of the 124th Legislature, whichever is earlier.

Sec. F-6. Transfers from Public Utilities Commission for legislative study. The State Controller shall transfer \$200,000 from the Public Utilities - Administrative Division, Other Special Revenue Funds program in the Public Utilities

Commission to the Study Commissions - Funding, Other Special Revenue Funds program in the Legislature on the effective date of this Act.

Sec. F-7. Appropriations and allocations. The following appropriations and allocations are made.

LEGISLATURE

Study Commissions - Funding 0444

Initiative: Allocates funds transferred from the Public Utilities Commission for the Commission to Study Energy Infrastructure.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$2,640	\$0
All Other	\$197,360	\$0
	<hr/>	
OTHER SPECIAL REVENUE FUNDS TOTAL	\$200,000	\$0

ACF

LD 353

P.L. 2009, c. 213, Part TTT

**Task Force on the Sustainability
of the Dairy Industry in Maine**

Sec. TTT-8. Task Force on the Sustainability of the Dairy Industry in Maine established. The Task Force on the Sustainability of the Dairy Industry in Maine, referred to in this section as "the task force," is established to examine the current problems confronting the dairy industry and develop recommendations on how best to reduce the vulnerability of the dairy industry to economic forces within and outside the State.

1. Duties. As a starting point, the task force shall review the Final Report of the Recommendations of the Governor's Task Force on the Sustainability of the Dairy Industry in Maine dated November 18, 2003 and the report of the ad hoc committee of dairy industry representatives assembled by Commissioner Bradstreet dated January 2007. The task force shall discuss the recommendations in the 2003 report, determine which recommendations have been implemented, evaluate the success of the recommendations implemented in meeting the goals stated in the 2003 report and decide if recommendations not implemented warrant further attention. The task force shall closely examine:

- A. The impact and cost of the tiered dairy stabilization program in the Maine Revised Statutes, Title 7, section 3153-B, enacted by the 121st Legislature with an effective date of April 16, 2004;
- B. Factors affecting the price of milk as it moves from the farm to the dairy processor to the retail seller; and
- C. Other focus areas as determined by the task force at its early meetings.

2. Membership. The task force has 17 members appointed as follows. The President of the Senate shall appoint 2 members of the Senate, one of whom is a member of the minority party. The Speaker of the House shall appoint 2 members of the House, one of whom is a member of the minority party. These members serve at the pleasure of their respective appointers. The Governor shall appoint the following members, who serve at the pleasure of the Governor:

- A. One milk producer from each of the 3 production tiers in the dairy stabilization program under the Maine Revised Statutes, Title 7, section 1353-B;
- B. One dairy farmer designated by the Maine Organic Farmers and Gardeners Association who produces milk for the organic market;
- C. One person designated by Maine Dairy Industry Association;
- D. Two representatives designated by the Agricultural Council of Maine who are not dairy farmers;
- E. One representative from the University of Maine Cooperative Extension;
- F. One representative from Farm Credit of Maine;
- G. One person knowledgeable about farmland issues;
- H. One person with experience helping farmers respond to changing circumstances;
- I. One agricultural economist;
- J. One milk processor;
- K. One milk retailer; and
- L. One feed dealer or supplier.

3. Chair. The Governor and the Commissioner of Agriculture, Food and Rural Resources shall designate the chair of the task force.

4. Meetings; termination. The task force shall meet as necessary to complete the assigned duties. All meetings are open to the public and held at locations determined by the task force. The task force shall disband upon completion of its duties or on November 27, 2009, whichever comes sooner.

5. Staffing and funding. The Department of Agriculture, Food and Rural Resources shall provide staff support to the task force from existing resources. The Commissioner of Agriculture, Food and Rural Resources may use contributions of money, services and supplies accepted under existing authority to support the work of the task force.

6. Compensation. Members do not receive compensation for their time, travel or other expenses unless funding is available to the Commissioner of Agriculture, Food and Rural Resources for reimbursing such expenses. Legislators do not receive legislative per diem.

7. Report. The task force shall submit its report to the Governor and the Joint Standing Committee on Agriculture, Conservation and Forestry no later than November 27, 2009. The report must include recommendations for long-term stability within the dairy industry and recommendations for immediate implementation as needed to preserve the State's farms and local milk supply.

Sec. TTT-9. Authority to submit legislation. The Joint Standing Committee on Agriculture, Conservation and Forestry may submit legislation pertaining to the State's dairy industry to the Second Regular Session of the 124th Legislature.

ACF

LD 1047

**ACF Committee Review of LURC
Proposed Comprehensive
Land Use Plan**

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND NINE

H.P. 722 - L.D. 1047

**An Act To Amend the Review and Approval Process of the Comprehensive
Land Use Plan**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, comprehensive land use plans are presented to the Maine Land Use Regulation Commission on a regular basis; and

Whereas, it is important to change the procedure in which the plans are approved as soon as possible; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 12 MRSA §685-C, sub-§1, as amended by PL 2007, c. 264, §1, is further amended to read:

1. Comprehensive land use plan. The commission shall adopt an official comprehensive land use plan for the unorganized and deorganized townships of the State.

The commission must use the plan as a guide in developing specific land use standards and delineating district boundaries and guiding development and generally fulfilling the purposes of this chapter.

The plan may consist of maps, data and statements of present and prospective resource uses that generally delineate the proper use of resources, and recommendations for its implementation.

The commission shall hold public hearings to collect information to be used in establishing the land use guidance plan. The public hearings must be conducted according to commission rules adopted in accordance with procedures for the establishment of rules pursuant to Title 5, chapter 375, subchapter 2.


The commission may, on its own motion or petition of any state agency or regional planning commission, hold such other hearings as the commission considers necessary from time to time for the purpose of obtaining information helpful in the determination of its policies, the carrying out of its duties or the formulation of its land use standards or rules.

The commission may not adopt a plan or portion of a plan; unless:

A. The tentative plan has been submitted to each regional planning commission and other appropriate agencies, which shall forward their comments and recommendations, if any, to the commission within 30 days;

B. The tentative plan has been submitted to the State Planning Office, pursuant to Title 5, section 3305, subsection 1, paragraph G, which shall forward its comments and recommendations, if any, to the commission within 30 days; ~~and~~

C. The commission has considered all ~~such~~ comments; submitted under paragraphs A and B; and

 D. The commission has submitted the tentative plan to the joint standing committee of the Legislature having jurisdiction over conservation matters and the committee has reviewed the plan at a public meeting. The commission shall brief the committee on any anticipated changes to land use districts and subdistricts based on revisions in the comprehensive land use plan and a projected timetable for rulemaking to adopt these changes. The tentative plan must be submitted to the committee a minimum of 30 days prior to the commission's final vote.

Upon adoption of the official land use plan by the commission, the commission shall submit the plan to the Governor for approval. The Governor shall approve or disapprove the plan, plans or any portion of a plan within 30 days of receipt. If the Governor fails to act, the plan is deemed approved. This subsection also applies to any alteration in the comprehensive plan.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

AFA

LD 353

P.L. 2009, c. 213, Part QQQ

**Streamlining of State Government
AFA Committee**

PART QQQ

Sec. QQQ-1. Initiative continued. The Joint Standing Committee on Appropriations and Financial Affairs, referred to in this Part as "the committee," shall continue the effort to streamline State Government enacted by Public Law 2007, chapter 240, Part QQQ, referred to in this Part as "the initiative."

Sec. QQQ-2. Duties. The committee, as part of the initiative, shall conduct its research and prepare recommendations on streamlining state government programs and service delivery by reviewing, at a minimum, the following:

1. Current organizational structures and alignment of functions to ensure streamlined and integrated administration and services;
2. Boards, commissions, councils, advisory councils and any other entities established by state law to determine the continuing need for their existence or current configuration as measured against their operating costs;
3. Provision of financial management and human resource services, benefits and related functions to recommend improvements in organizational efficiency and cost-effectiveness;
4. The past 2 decades of studies and proposals that evaluated or sought to alter programs and service delivery of the executive, judicial and legislative branches and of other entities established by state law to prioritize and improve government services;
5. The portion, if any, of the employer's share of teacher retirement costs, including the normal cost component and the unfunded actuarial liability that is currently funded by the State, to be included as part of the total state and local cost of essential programs and services and the portion to be funded through the Teacher Retirement program within the Department of Education; and
6. The underlying causes of structural differences between available budgeted resources and state expenditures.

The initiative must achieve a targeted spending reduction of a minimum of \$30,000,000 in the 2010-2011 biennium that will have ongoing structural savings in future biennia. The committee may establish subcommittees and draw on experts inside and outside of State Government.

Sec. QQQ-3. Staff assistance. The Office of Fiscal and Program Review shall staff the committee. The committee may request additional staff assistance from the Legislative Council. The committee may request that the Legislative Council contract for additional staff to direct the initiative and hire expert staff as it determines necessary within its budgeted resources. The Department of Administrative and Financial Services; the Executive Department, State Planning Office; and the Office of Program Evaluation and Government Accountability may also provide assistance to the committee.

Sec. QQQ-4. Compensation. Members of the committee are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for travel and other necessary expenses related to their attendance at authorized meetings of the committee.

Sec. QQQ-5. Report. The committee shall submit a report of its findings and recommendations to the Legislative Council no later than January 6, 2010. The committee is authorized to submit legislation to the Second Regular Session of the 124th Legislature.

Sec. QQQ-6. Commissioner actions. If the committee fails to identify at least \$30,000,000 in savings through legislation submitted to and enacted by the Second Regular Session of the 124th Legislature, the Commissioner of Administrative and Financial Services shall distribute the undistributed savings through the process of curtailing allotments established in the Maine Revised Statutes, Title 5, section 1667. The State Budget Officer shall determine amounts in section 8 to be distributed by financial order upon approval of the Governor.

Sec. QQQ-7. Committee budget. The chairs of the committee, with assistance from the committee staff and the Executive Director of the Legislative Council, shall administer the committee's budget, which must be approved by the Legislative Council. The committee may not incur expenses that would result in the committee's exceeding its approved budget. Upon request from the committee, the Executive Director of the Legislative Council shall promptly provide the committee chairs and staff with a status report on the committee budget, expenditures incurred and paid and available funds.

Sec. QQQ-8. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Departments and Agencies - Statewide 0016

Initiative: Deappropriates funds to reflect savings to be realized by the continuation of the initiative to streamline State Government of the Joint Standing Committee on Appropriations and Financial Affairs.

GENERAL FUND	2009-10	2010-11
Unallocated	\$0	(\$30,000,000)
<hr/>		
GENERAL FUND TOTAL	\$0	(\$30,000,000)

BRED

LD 1257

**Citizen Trade Policy Commission
Review of International Trade
Agreements**

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND AND NINE

H.P. 876 - L.D. 1257

**An Act To Require Legislative Consultation and Approval Prior to
Committing the State to Binding International Trade Agreements**

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

Sec. 1. 10 MRSA §13 is enacted to read:

§13. Legislative approval of trade agreements

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Commission" means the Citizen Trade Policy Commission established in Title 5, section 12004-I, subsection 79-A.

B. "Trade agreement" means an agreement reached between the United States Government and any other country, countries or other international political entity or entities that proposes to regulate trade, procurement, services or investment among the parties to the agreement. "Trade agreement" includes, but is not limited to, any agreements under the auspices of the World Trade Organization, all regional free trade agreements, including the North American Free Trade Agreement and the Central America Free Trade Agreement and all bilateral agreements entered into by the United States, as well as requests for binding agreement received from the United States Trade Representative.

2. State official prohibited from binding the State. If the United States Government provides the State with the opportunity to consent to or reject binding the State to a trade agreement, or a provision within a trade agreement, then an official of the State, including but not limited to the Governor, may not bind the State or give consent to the United States Government to bind the State in those circumstances, except as provided in this section.

3. Receipt of request for trade agreement. When a communication from the United States Trade Representative concerning a trade agreement provision is received by the State, the Governor shall submit a copy of the communication and the proposed trade agreement, or relevant provisions of the trade agreement, to the chairs of the commission, the President of the Senate, the Speaker of the House of Representatives, the Maine

International Trade Center and the joint standing committees of the Legislature having jurisdiction over state and local government matters and business, research and economic development matters.

* 4. Review by commission. The commission, in consultation with the Maine International Trade Center, shall review and analyze the trade agreement and issue a report on the potential impact on the State of agreeing to be bound by the trade agreement, including any necessary implementing legislation, to the Legislature and the Governor.

5. Legislative approval of trade agreement required. Unless the Legislature by proper enactment of a law authorizes the Governor or another official of the State to enter into the specific proposed trade agreement, the State may not be bound by that trade agreement.

CRJ

LD 525

**CJPS Committee Review of Litter
Control Laws**

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND AND NINE

H.P. 370 - L.D. 525

An Act To Amend the Law Regarding Littering on Public Lands

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

Sec. 1. 17 MRSA §2264-B, sub-§5, as amended by PL 2007, c. 651, §21, is further amended to read:

5. License suspension. Surrender the person's motor vehicle operator's license for a period not exceeding 30 days ~~and the person's hunting and fishing licenses issued by the Department of Inland Fisheries and Wildlife for a period of up to one year if the violation occurred in a state-owned wildlife management area as designated in Title 12, section 12708 or a wildlife sanctuary as designated in Title 12, section 12706.~~ The court may suspend an operator's license for any violation of section 2264-A that involves the use of a motor vehicle.

Sec. 2. Review and evaluation of the litter control laws. The Joint Standing Committee on Criminal Justice and Public Safety shall review the State's litter control laws regarding the dumping of waste material or unwanted objects on public and private property without the permission of the landowner, including, but not limited to, the history of those litter control laws, the effectiveness of those laws in preventing such dumping and the prosecutorial statistics for those responsible for such dumping. The committee shall determine changes needed to the litter control laws, in particular the penalty structure, to reduce the occurrence of people dumping waste material or unwanted objects on public and private property without the permission of the landowner, which has become more frequent, resulting in significant disposal costs for landowners and driving private landowners to post their property. The committee shall also seek to increase the rates of successful prosecution of those responsible for such dumping. The Joint Standing Committee on Criminal Justice and Public Safety may submit legislation to the Second Regular Session of the 124th Legislature regarding this matter.

EDU

LD 1297

**Stakeholder Group to Review the Role
of the State Board of Education**

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND NINE

H.P. 900 - L.D. 1297

Resolve, To Review Changing the Duties of the State Board of Education

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the State Board of Education was established in 1949 as an advisory board to the Commissioner of Education; and

Whereas, the roles and responsibilities of the State Board of Education have since been expanded in numerous ways that have expanded its mission beyond its original advisory role to the point where the mission of the current State Board of Education includes developing education policy and advocating for education policies; and

Whereas, it is essential to review the operations of the State Board of Education in order to ensure that the policymaking roles and responsibilities of the executive and legislative branches of State Government are properly aligned and balanced; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Review of duties of State Board of Education. Resolved: That the Commissioner of Education shall convene a stakeholder group to review the duties currently assigned to the State Board of Education, referred to as "the state board" in this resolve, and develop recommendations to change, as necessary, the role of the state board in order to align its responsibilities as an advisory board with current statutes and rules. The stakeholder group review must consider provisions in the Maine Revised Statutes, Title 20-A, chapter 5 and any other provisions in Title 20-A and other statutes and rules where the state board is referenced; and be it further

Sec. 2. Stakeholder group. Resolved: That the stakeholder group must include representatives of educational organizations, including but not limited to the Maine School Superintendents Association, the Maine School Boards Association, the Maine Education Association, the Maine Principals' Association, the Maine Administrators of Services for Children with Disabilities, the Department of Education, the state board and

no more than 2 members of the Joint Standing Committee on Education and Cultural Affairs; and be it further

Sec. 3. Report. Resolved: That the stakeholder group shall prepare and submit a report, including its findings and recommendations developed pursuant to section 1, to the Joint Standing Committee on Education and Cultural Affairs by December 1, 2009. The Joint Standing Committee on Education and Cultural Affairs may introduce legislation, as appropriate, to the Second Regular Session of the 124th Legislature.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

EDU

LD 1324

**State Council on Educational
Opportunity for Military Children**

§20108. State coordination - Article 8

1. Establishment or designation of board; state council. Each member state shall, through the creation of a state council or use of an existing body or board, provide for the coordination among its agencies of government, local education agencies and military installations concerning the state's participation in, and compliance with, this compact and interstate commission activities. While each member state may determine the membership of its own state council, its membership must include at least:

- A. The state superintendent of education;
- B. The superintendent of a school district with a high concentration of military children. A member state that does not have a school district considered to contain a high concentration of children of military families may appoint a superintendent from another school district to represent local education agencies on the state council;
- C. One representative from a military installation;
- D. One representative each from the legislative and executive branches of government; and
- E. Other offices and stakeholder groups the state council determines appropriate.

2. Military family education liaison. The state council shall appoint a military family education liaison to assist military families and the state in facilitating the implementation of this chapter. The state council of each member state shall appoint or designate a military family education liaison to assist military families and the state in facilitating the implementation of this compact.

3. Compact commissioner. The compact commissioner responsible for the administration and management of the state's participation in the compact must be appointed by the Governor or as otherwise determined by each member state.

4. Ex officio members. The military family education liaison appointed pursuant to subsection 2 and the compact commissioner appointed pursuant to subsection 3 serve as ex officio members of the state council, unless either is already a full voting member of the state council.

§20109. Interstate Commission on Educational Opportunity for Military Children - Article 9

The member states hereby create the Interstate Commission on Educational Opportunity for Military Children. The activities of the interstate commission are the formation of public policy and are a discretionary state function. The interstate commission:

1. Body corporate. Is a body corporate and joint agency of the member states and has all the responsibilities, powers and duties set forth in this section and such additional powers as may be conferred upon it by a subsequent concurrent action of the respective legislatures of the member states in accordance with the terms of this compact;

HHS

LD 969

Maine Children's Growth Council

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND AND NINE

H.P. 671 - L.D. 969

An Act To Amend the Laws Governing the Maine Children's Growth Council

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, Congress enacted legislation reauthorizing the Head Start program in 2007; and

Whereas, the membership of the Maine Children's Growth Council must be amended in order to meet federal requirements; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 5 MRSA §24001, sub-§3, as enacted by PL 2007, c. 683, Pt. A, §2, is amended to read:

3. Membership. The council consists of ~~27~~ the members listed in this subsection who must have a strong interest in early childhood and early care and education and must be influential in their communities:

A. Two members of the Senate, one from each of the 2 political parties having the greatest number of members in the Senate, appointed by the President of the Senate;

B. Two members of the House of Representatives, one from each of the 2 political parties having the greatest number of members in the House, appointed by the Speaker of the House;

C. The Governor or the Governor's designee and the Attorney General or the Attorney General's designee;

D. Three parents, at least one of whom has a young child, one each appointed by the Governor, the President of the Senate and the Speaker of the House;

E. Two persons with experience in public funding and philanthropy, appointed by the President of the Senate;

F. One person representing child abuse and neglect prevention, appointed by the Speaker of the House;

G. One person representing postsecondary education, appointed by the Governor;

H. Eight persons representing statewide, membership or constituent organizations that advance the well-being of young children and their families, nominated by their organizations and appointed by the Governor, of whom:

(1) Three must represent statewide organizations or associations involved in early care and education programs, child care centers, Head Start programs, family child care providers, resource development centers, programs for school-age children, child development services, physicians and child advocacy;

(2) One must represent a law enforcement organization involved with children;

(3) One must represent an organization that works on community organization and mobilization;

(4) One must represent public health;

(5) One must represent the Maine Economic Growth Council; and

(6) One must represent a labor organization;

I. One person representing a statewide association of business and industry and one person representing a business roundtable on early childhood investment, appointed by the Governor;

J. ~~One member~~ Up to 8 members of the public, appointed by the Governor; and

K. Three ex-officio nonvoting members: the Commissioner of Education or the commissioner's designee, a Department of Health and Human Services employee who works with early childhood programs including Head Start and a person representing the office within the Department of Health and Human Services that is the fiscal agent for the federal grant program for comprehensive early childhood initiatives; and

L. The director of the Head Start collaboration project within the Department of Health and Human Services, Office of Child Care and Head Start.

Sec. 2. 5 MRSA §24004, as enacted by PL 2007, c. 683, Pt. A, §2, is repealed.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

IFS

LD 1002

**Study of the Feasibility of Establishing
a Single-payor Health Care System in
the State**

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND AND NINE

H.P. 690 - L.D. 1002

Resolve, To Conduct an Updated Study of the Feasibility of Establishing a Single-payor Health Care System in the State and the Impact of Any Federal Health Care Reform

Sec. 1. Update to feasibility study. Resolved: That the Legislative Council shall contract with a qualified consultant to update the estimated costs and impact of a single-payor health care system as described in the December 2002 document titled "Feasibility Study of a Single-payer Health Plan Model for the State of Maine" produced by Mathematica Policy Research, Inc. In the event that federal legislation related to universal health care is enacted, the updated study must include a preliminary analysis of the impact of federal action on state legislation to establish a single-payor health care system or other mechanism for universal health care and the availability of federal funding and guidance for implementation in this State. The Legislative Council shall seek outside grant funding to fully fund all costs of the updated study, which may not exceed \$60,000. If sufficient outside funding has not been received by the Legislative Council by October 1, 2009 to fully fund all costs of the updated study, no expenses of any kind related to the study may be incurred. The updated study must be submitted no later than January 15, 2010 to the Second Regular Session of the 124th Legislature. The Joint Standing Committee on Insurance and Financial Services may submit legislation based on the updated feasibility study to the Second Regular Session of the 124th Legislature; and be it further

Sec. 2. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

LEGISLATURE

Legislature 0081

Initiative: Allocates funds to the Legislature to contract for an update to the 2002 study of the feasibility of establishing a single-payor health care plan for the State.

OTHER SPECIAL REVENUE FUNDS

All Other

2009-10

\$60,000

2010-11

\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	\$60,000	\$0
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Legislature 0081

Initiative: Appropriates funds to contract for professional services for grant writing and technical assistance.

GENERAL FUND	2009-10	2010-11
All Other	\$5,750	\$0
GENERAL FUND TOTAL	<u>\$5,750</u>	<u>\$0</u>

LEGISLATURE		
DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$5,750	\$0
OTHER SPECIAL REVENUE FUNDS	\$60,000	\$0
DEPARTMENT TOTAL - ALL FUNDS	<u>\$65,750</u>	<u>\$0</u>

LVA

LD 533

**LVA Committee Development
of a Comprehensive Policy Regarding
Slot-machines and Casino-style
Gambling in Maine**

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND AND NINE

H.P. 378 - L.D. 533

Resolve, Authorizing the Joint Standing Committee on Legal and Veterans Affairs To Report Out Legislation Regarding the Expansion of Slot Machine and Casino-style Gambling

Sec. 1. Committee to examine expansion of slot machine and casino-style gambling; legislation. Resolved: That the Joint Standing Committee on Legal and Veterans Affairs shall gather information to develop a comprehensive policy regarding slot machine and casino-style gambling in the State, including, but not limited to, state-operated gambling facilities, additional slot machine facilities at commercial tracks and a competitive bidding process allowing private entities to contract with the State to conduct gambling. The committee is authorized to report out legislation to the Second Regular Session of the 124th Legislature based on the consideration of the policies listed in this section.

LVA

LD 1080

**Working Group on Landlord
and Tenant Issues**

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the resolve by striking out the title and substituting the following:

'Resolve, To Create a Working Group To Study Landlord and Tenant Issues'

Amend the resolve in the emergency preamble by striking out the 2nd indented paragraph (page 1, lines 3 and 4 in L.D.) and inserting the following:

'Whereas, a working group to study issues related to landlords and tenants is created in this resolve and must issue its findings and report by December 2, 2009; and'

Amend the resolve by striking out all of sections 1 to 7 and inserting the following:

'Sec. 1 Working group established. Resolved: That the Attorney General or the Attorney General's designee shall convene a working group to study issues related to landlords and tenants as required in section 4. The Attorney General or the Attorney General's designee shall chair the working group and convene the first meeting of the working group, which must be no later than August 1, 2009; and be it further

Sec. 2 Working group members. Resolved: That the working group under section 1 consists of the following 10 members:

1. The Attorney General or the Attorney General's designee;
2. The Director of the Maine State Housing Authority or the director's designee;
3. Four members representing the following organizations:
 - A. The State's designated protection and advocacy agency pursuant to the Maine Revised Statutes, Title 5, section 19502;
 - B. A statewide nonprofit legal services organization that provides free legal services to the elderly;
 - C. A statewide nonprofit legal services organization that provides free legal services to low-income persons; and
 - D. A statewide nonprofit legal services organization that provides free legal services, including administrative and legislative advocacy, to low-income persons; and
4. Four members representing organizations of landlords and housing managers in the State.

The Attorney General or the Attorney General's designee shall invite the participation of one member representing the District Court selected by the Chief Justice of the Maine Supreme Judicial Court; and be it further

Sec. 3 Selection of members. Resolved: That, no later than 30 days following the effective date of this resolve, the organizations described in section 2 shall notify the Attorney General or the Attorney General's designee of the members selected for participation in the working group under section 1; and be it further

Sec. 4 Duties. Resolved: That the working group under section 1 shall:

1. Study the feasibility of providing heating fuel assistance and weatherization assistance for landlords who serve low-income tenants in certain economically distressed areas;
2. Study the issue of keeping housing units in proper repair, including examining the laws regarding warranty of habitability to see if there is a way to have the law work more simply to resolve both minor and major problems;
3. Study the issue of keeping tenants in their apartments in the event of a foreclosure;
4. Examine the current laws regarding evictions both in lease and tenancies at will to determine if consolidating those laws into one statutory scheme is feasible and to determine if some minimal standards should apply to lease tenancies;
5. Recommend changes to clarify and simplify the current law; and
6. Consider any other issues pertaining to landlord and tenant issues that it determines to be relevant; and be it further

Sec. 5 Notice to Legislature. Resolved: That the Attorney General shall provide written notice of working group under section 1 meetings and copies of any minutes of meetings to members of the Joint Standing Committee on Legal and Veterans Affairs and the Office of Policy and Legal Analysis; and be it further

Sec. 6 Staffing assistance. Resolved: That the Attorney General shall provide necessary staffing services to the working group under section 1. Upon the approval of the Legislative Council, the Office of Policy and Legal Analysis may provide drafting assistance with the preparation of recommended legislation. The drafting assistance provided by the Office of Policy and Legal Analysis may be provided only when the Legislature is not in session; and be it further

Sec. 7 Report. Resolved: That, no later than January 15, 2010, the working group under section 1 shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Joint Standing Committee on Legal and Veterans Affairs. The Joint Standing Committee on Legal and Veterans Affairs is authorized to introduce a bill related to the subject matter of the report to the Second Regular Session of the 124th Legislature upon receipt of the report; and be it further

Sec. 8 Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

ATTORNEY GENERAL, DEPARTMENT OF THE

Administration - Attorney General 0310

Initiative: Provides one-time funds to contract for expert assistance in the area of landlord and tenant issues to provide the necessary staffing for the working group.

GENERAL FUND	2009-10	2010-11
All Other	\$10,000	\$0
GENERAL FUND TOTAL	<u>\$10,000</u>	<u>\$0</u>

SUMMARY

This amendment replaces the resolve and changes the title. The amendment directs the Attorney General to convene a working group to study certain issues related to the laws governing landlords and tenants rather than establishing a blue ribbon commission with Legislators as proposed in the bill. The amendment requires the Attorney General to notify members of the Joint Standing Committee on Legal and Veterans Affairs of working group meetings and provide copies of minutes of meetings. The amendment requires the working group to report to the Joint Standing Committee on Legal and Veterans Affairs by January 15, 2010. It also adds an appropriations and allocations section.

FISCAL NOTE REQUIRED (See attached)

LVA

LD 1470

**Working Group to Arrange for a
Plaque in the Hall of Flags to
Honor Women Veterans**

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND AND NINE

H.P. 1023 - L.D. 1470

Resolve, To Recognize Women Veterans in the State House Hall of Flags

Sec. 1. Bureau of Maine Veterans' Services to establish working group.

Resolved: That the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management shall establish a working group to arrange for a plaque to be displayed in the Hall of Flags in the State House to honor women veterans of the State. The working group shall consult with the State House and Capitol Park Commission and the Legislative Council to develop a design and choose a site for the plaque to be displayed in the State House Hall of Flags; and be it further

Sec. 2. Funding. Resolved: That the Director of the Bureau of Maine Veterans' Services in coordination with the working group established under section 1 may accept outside sources of funding to contract for the design and construction of the plaque. The director shall provide prompt notice of solicitation and acceptance of funds to the Legislative Council. All funds accepted must be forwarded to the Executive Director of the Legislative Council along with an accounting record that includes the amount of funds, date the funds were received, from whom the funds were received and the purpose of and any limitation on the use of the funds. The Executive Director of the Legislative Council shall administer any funds received; and be it further

Sec. 3. Report; final authorization. Resolved: That the working group established under section 1 shall submit a report regarding the proposed location and design of the plaque to the Joint Standing Committee on Legal and Veterans Affairs and the Legislative Council through the Office of the Executive Director no later than January 15, 2010. The final authorization for the placement of the plaque in the State House Hall of Flags must be made by the Legislative Council; and be it further

Sec. 4. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

LEGISLATURE

State House and Capitol Park Commission 0615

Initiative: Provides a base allocation to authorize expenditures of any funds received by the Director of the Bureau of Maine Veterans' Services within the Department of

Defense, Veterans and Emergency Management to contract for the design and construction of a plaque to honor women veterans of the State.

OTHER SPECIAL REVENUE FUNDS

All Other

2009-10

\$500

2010-11

\$0

OTHER SPECIAL REVENUE FUNDS TOTAL

\$500

\$0

NAT

LD 1310

**Working Group to Examine the Legal
and Policy Implications of
Groundwater Extraction**

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND AND NINE

H.P. 913 - L.D. 1310

**Resolve, Relating to a Review of International Trade Agreements and the
Management of Groundwater Resources**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, obligations under international trade agreements may compromise the ability of the State to manage its groundwater resources; and

Whereas, an examination of the potential legal impacts of international trade agreements on the State's ability to manage its groundwater resources will enable the Legislature to make informed and timely decisions; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Review established. Resolved: That the Water Resources Planning Committee, of the Land and Water Resources Council, established pursuant to the Maine Revised Statutes, Title 5, section 3331, subsection 8, in coordination with the Office of the Attorney General and the Citizen Trade Policy Commission established in Title 5, section 12004-I, subsection 79-A, shall conduct an examination of the potential legal impacts of international trade agreements on the State's ability to manage its groundwater resources, including, but not limited to, the potential consequences of permitting foreign companies to extract groundwater. The examination may include a review and assessment of the following subjects as they relate to or impact international trade agreement issues and the State's regulation of its groundwater:

1. Property rights related to the ownership of groundwater;
2. The various common law doctrines relating to the use of groundwater, including the absolute dominion rule and the reasonable use rule; and
3. Natural resources other than groundwater; and be it further

Sec. 2. Experts. Resolved: That outside funding accepted by the Citizen Trade Policy Commission pursuant to the Maine Revised Statutes, Title 10, section 11, subsection 10 may be used to contract with experts in the field of international trade agreements; and be it further

Sec. 3. Report. Resolved: That, by January 1, 2010, the Water Resources Planning Committee, in coordination with the Office of the Attorney General and the Citizen Trade Policy Commission, shall submit a report related to the review to the Joint Standing Committee on Natural Resources. The report must include findings, recommendations and any legislation necessary to implement the recommendations. The Joint Standing Committee on Natural Resources is authorized to report out legislation to the Second Regular Session of the 124th Legislature; and be it further

Sec. 4. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

LEGISLATURE

Legislature 0081

Initiative: Provides a base allocation in the event that the Citizen Trade Policy Commission receives outside funding to contract with experts in the field of international trade agreements.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$500	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$500</u>	<u>\$0</u>

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

TAX

LD 353

P.L. 2009, c. 213, Part TTT

**TAX Committee Review of the
Telecommunications Personal
Property Tax**

P.L. 2009, c. 213

Sec. P-2. Review and report. The Joint Standing Committee on Taxation shall review the telecommunications personal property tax and other forms of taxation of telecommunications providers in this State and in other states. The committee shall invite the participation of the Department of Administrative and Financial Services, Bureau of Revenue Services and telecommunications providers in the review. The committee shall submit a report to the Joint Standing Committee on Appropriations and Financial Affairs by January 15, 2010, summarizing the results of its review and recommending changes to the tax laws to ensure equitable tax treatment of telecommunications providers in a revenue-neutral manner. The Joint Standing Committee on Taxation may submit legislation related to the review to the Second Regular Session of the 124th Legislature.