

MAINE STATE LEGISLATURE

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SEN. KEVIN L. RAYE
CHAIR

REP. ROBERT W. NUTTING
VICE-CHAIR

EXECUTIVE DIRECTOR
DAVID E. BOULTER



125TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. JONATHAN T. E. COURTNEY
SEN. BARRY J. HOBBS
SEN. DEBRA D. PLOWMAN
SEN. JUSTIN L. ALFOND
REP. PHILIP A. CURTIS
REP. EMILY ANN CAIN
REP. ANDRE E. CUSHING III
REP. TERRY HAYES

TO: Senator Kevin L. Raye, Chair
Representative Robert W. Nutting, Vice-Chair
Legislative Council
Members of the Legislative Council
FROM: D.B.
David E. Boulter, Executive Director
DATE: June 14, 2011
RE: **Consideration of Proposed Legislative Studies**

In the very near future, the Legislative Council will need to meet 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 Legislative Council policy for legislative studies;
4. A spreadsheet listing the proposed legislative study commissions and task forces (blue paper) and interim committee meetings (green 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.

I will notify you when the chair of the Legislative Council calls a meeting to decide the study requests. **PLEASE BRING THIS MATERIAL WITH YOU TO THE LEGISLATIVE COUNCIL MEETING.** Thank you.

Attachments

cc: Joseph Carleton, Jr., Secretary of the Senate
Heather Priest, Clerk of the House
Patrick Norton, OPLA Director
Grant Pennoyer, OFPR Director
Suzanne Gresser, Revisor of Statutes
Rose Breton, Leg. Finance Director
Chiefs of Staff

115 STATE HOUSE STATION, AUGUSTA, MAINE 04333-0115
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125th Legislature
Legislative Council Meeting
Review of Legislative Study Proposals
June 2011

Requirements Relevant to Studies in the First Regular Session

Under the terms of the Joint Rules of the 125th 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 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 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 which 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 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 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.

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125TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

**Maine Legislative Council Policy
On Legislative Studies
For 125th Legislature**

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 Rules adopted by each successive legislature have included Joint Rule 353.

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 3rd day of March, 2011.

This policy takes effect on immediately.

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

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LD/Paper	Emer?	Study Name	Policy Area	Purpose	# Members / # Legislators	Start Date	Report Date(s)	Compensation/ Fiscal Costs	Staff	Notes
LD1043 2. 17	Y	Streamline and Prioritize Core Government Services Task Force (Part KKK)	AFA	Conduct a comprehensive analysis of department and agencies with recommendations designed to achieve a targeted spending reduction of a minimum of \$25,000,000 in fiscal year 2012-13.	11 / 4	No later than September 1, 2011	December 15, 2011: AFA monthly progress reports from September 2011 through December 2011: AFA	Legislative per diem and expenses Fiscal Costs: FY12 \$3,000.00 Source: GF 6 meetings budgeted. Budget reflects the cost of the payment of per diem and expenses for 4 legislators to participate as members of the task force.	DAFS	In Budget Bill, Part KKK
2 LD1187 2. 21	N	Downtown Revitalization Fund Board (ongoing)	AFA	Administer the Downtown Revitalization Fund and issue loans.	9 / 4	Not specified		Legislative per diem and expenses Fiscal Costs: FY12 \$2,000.00 Source: GF Ongoing costs beginning in fiscal year 2011-12. Budget reflects the payment of per diem and expenses for 4 legislative members for 4 meetings each year. FY13 \$2,000.00 Source: GF	Office of Community Development	Not reported out of committee

LD/Paper	Emer?	Study Name	Policy Area	Purpose	# Members / # Legislators	Start Date	Report Date(s)	Compensation/ Fiscal Costs	Staff	Notes
3 LD0656 223	Y	Task Force on Franco-Americans	EDU	Determine a definition for who is a Franco-American and gather basic data about Franco-Americans residing in the State.	13 / 3	Upon completion of appointments of all members, chairs may convene the first meeting	preliminary report due December 7, 2011; Second Regular Session of the 125th Legislature Final report due November 7, 2012; Educational and Cultural Affairs Committee	Legislative per diem and expenses Fiscal Costs: FY12 \$4,145.00 Source: OSR 4 meetings budgeted. If sufficient funds are not received to fund all costs of the study, no meetings are authorized and no expenses may be incurred or reimbursed. FY13 \$4,145.00 Source: OSR 4 meetings budgeted. If sufficient funds are not received to fund all costs of the study, no meetings are authorized and no expenses may be incurred or reimbursed.	Legislative Council	On Senate Study Table; Hosue Finally Passed with Committee A; Senate pending Final Passed in concurrence

Maine State Legislature - Proposed Study Bills

LD/Paper	Emer?	Study Name	Policy Area	Purpose	# Members / # Legislators	Start Date	Report Date(s)	Compensation/ Fiscal Costs	Staff	Notes
4 HIP0597 JO p. 28	N	Joint Select Committee on Health Care Costs	HHIS	Review current health care costs in Maine and determine the State's opportunities for reducing overall health care costs.	13 / 13	June 20, 2011	December 7, 2011: Second Regular Session of the 125th Legislature	Legislative per diem and expenses Fiscal Costs: FY12 \$7,250.00 Source: GF 4 meetings budgeted	Legislative Council	On Senate Study Table: Passed in House with Committee A; pending passage in concurrence in Senate
5 LD1043 p. 31	Y	Dorothea Dix Psychiatric Center Working Group (Part NN)	HHIS	Develop a plan regarding the future role and structure of the Dorothea Dix Psychiatric Center.	18 / 2	Not specified	December 1, 2011: AFA and HHIS Committees	Legislative per diem and expenses Fiscal Costs: FY12 \$1,000.00 Source: GF 4 meetings budgeted. Budget reflects the cost of the payment of per diem and expenses for 2 legislators to participate in the working group.	DHHS	In Budget Bill, Part NN
6 LD1558 p. 35	N	Commission to Study Allocations of the Fund for a Healthy Maine	HHIS	Review the alignment of allocations from the FHM with the State's current public health and preventative health priorities and goals.	13 / 7	Within 15 days of the effective date of the resolve	December 7, 2011: AFA and HHIS Committees	Legislative per diem and expenses; public members may receive per diem and expenses Fiscal Costs: FY12 \$6,960.00 Source: GF 6 meetings budgeted.	Legislative Council	On Senate Study Table; House Finally Passed with Committee A; Senate pending Final Passage in concurrence

LD/Paper	Emer?	Study Name	Policy Area	Purpose	# Members / # Legislators	Start Date	Report Date(s)	Compensation/ Fiscal Costs	Staff	Notes
7 LD1338 p. 38	N	DPFR Evaluation of Ways to Streamline the State's Foreclosure Prevention Outreach and Housing Counseling Program	IFS	Evaluate and determine the ways in which the State's foreclosure prevention outreach and housing counseling program may be streamlined and made more efficient.	11 / 2	Not specified	December 7, 2011: IFS Committee	Legislative per diem and expenses Fiscal Costs: FY12 \$1,000.00 Source: GF 4 meetings budgeted. Budget reflects the cost of the payment of per diem and expenses for 2 members of the IFS Committee to participate in the evaluation.	DPFR, Consumer Credit Protection	Not reported out of committee
8 LD0951 p. 42	Y	Commission to Study Priorities and Timing of Judicial Proceedings in State Courts	JUD	Study the priority and timing of judicial proceedings in state courts.	11 / 7	Upon completion of appointments of all members, chairs may call first meeting	December 7, 2011: Judiciary Committee	Legislative per diem and expenses Fiscal Costs: FY12 \$4,490.00 Source: GF 4 meetings budgeted	Legislative Council	On Senate Study Table; House Finally Passed with Committee A; Senate pending Final Passage in concurrence

LD/Paper	Emer?	Study Name	Policy Area	Purpose	# Members / # Legislators	Start Date	Report Date(s)	Compensation/ Fiscal Costs	Staff	Notes
9 LD1477 p. 45	Y	Committee to Review Issues Dealing with Regulatory Takings	JUD	Study issues associated with property rights and the public welfare.	13 / 7	Upon completion of appointments, chairs may convene first meeting	December 7, 2011; JUD Committee	Legislative per diem and expenses; public members may receive expenses Fiscal Costs: FY12 \$4,690.00 Source: GF 4 meetings budgeted.	Legislative Council	Passed to Be Engrossed with Committee A in both House and Senate
10 LD0841 p. 49	Y	Blue Ribbon Commission on Affordable Housing	LCREH	Study affordable housing policy in the State, review the status of housing in the State and develop a plan to maximize investment of available resources and best meet the housing needs of the people of the State.	17 / 4	Upon completion of appointments, chairs may call first meeting	February 15, 2012; Second Regular Session of the 125th Legislature	Legislative per diem and expenses; other members may receive expenses Fiscal Costs: FY12 \$4,630.00 Source: OSR 4 meetings budgeted. If sufficient funds are not received to fund the costs of the study, no meetings are authorized and no expenses may be incurred or reimbursed. (Maine Affordable Housing Coalition is raising funds to pay for the study.)	OPLA	On Senate Study Table; House Finally Passed with Committee A; Senate pending Final Passage in concurrence

LD/Paper Entry?	Study Name	Policy Area	Purpose	# Members / # Legislators	Start Date	Report Date(s)	Compensation/ Fiscal Costs	Staff	Notes
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Totals: 2012

GF	\$30,390.00
OSR	\$8,775.00

2013

GF	\$2,000.00
OSR	\$4,145.00

\$45,310.00

PROPOSED MEETINGS OF COMMITTEES TO REVIEW OTHER POLICY ISSUES OF CONDUCT COMMITTEE STUDIES
(Funded from Interim Committee Meeting Budget)

LD/Paper #	Emer?	Study Name	Policy Area	Purpose	# Members/ # Legislators	Start Date	Report Date	Compensation/ Fiscal Costs	Staff	Current Status
LD 1534 p.55	N	Agriculture, Conservation and Forestry Committee Meeting with the Commission on Reform of the Governance of Land Use Planning in the Unorganized Territory	ACF	Provides that the Commission meet with the ACF Committee no later than October 28, 2011 to update the ACF Committee on the progress of the study commission.	13/0	Not specified	January 4, 2012 to the ACF Committee	Legislative per diem and expenses Fiscal Costs: FY12 \$1,625 Source: GF Budget reflects the cost for the ACF Committee to meet one time to receive an update from the study commission.	Legislative Council	Passed to be Engrossed as Amended by Committee A in both House and Senate
LD 1582 p.58	Y	Consultation of the Insurance and Financial Services Committee with the Advisory Committee on Maine's Health Insurance Exchange	IFS	The IFS Committee may meet with the Advisory Committee up to three times before the Second Regular Session of the 125th Legislature for consultation.	9/0	Not specified	September 1, 2011 to the IFS Committee	Legislative per diem and expenses Fiscal Costs: FY12 \$4,875.00 Source: GF Budget reflects the costs for the IFS Committee to meet 3 times to consult with the Advisory Committee on Maine's Health Insurance Exchange.	Legislative Council	On Senate Study Table; House Finally Passed; Senate pending Final Passage in concurrence
LD 848 p.63	N	Interim Meeting of the Veterans and Legal Affairs Committee to Review the Commission on Governmental Ethics and Election Practices Report on the Maine Clean Elections Act	VLA	Requires the VLA Committee to meet during the interim in order to review the study report on the Maine Clean Elections Act and report out legislation.	13/13	Not specified	October 15, 2011 to the VLA Committee	Legislative per diem and expenses Fiscal Costs: FY11 \$3,500 Source: GF 2 meetings budgeted for the Veterans and Legal Affairs Committee to meet to review the Clean Elections Act study report and report out legislation.	Legislative Council	On Senate Study Table; House Finally Passed with Committee Amendment A; Senate pending Final Passage in concurrence

TOTALS: 2012
GF \$9,750.00

AFA

LD 1043, Part KKK

**Streamline and Prioritize Core
Government Services Task Force**

Accepted Version – Voted June 8, 2011

Requiring Recommendations that Equal the Required Savings

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

PART KKK

Sec. KKK-1. Streamline and Prioritize Core Government Services Task Force established. The Commissioner of Administrative and Financial Services shall establish the Streamline and Prioritize Core Government Services Task Force, referred to in this Part as "the task force."

Sec. KKK-2. Task force membership. The task force consists of the following 11 members:

1. The Commissioner of Administrative and Financial Services or the commissioner's designee, who serves as chair of the task force;
2. Two members representing Maine for-profit businesses, appointed by the Governor;
3. Two members representing Maine not-for-profit agencies, appointed by the Governor;
4. One member representing a higher educational institution of Maine, appointed by the Governor;
5. Four members of the Joint Standing Committee on Appropriations and Financial Affairs jointly appointed by the committee chairs, at least one member representing the Senate and two members representing the majority party in the committee from either the House of Representatives or the Senate and two members of the minority party in the committee from either the House of Representatives or the Senate.
7. Two members of the public at large, appointed by the Governor.

Sec. KKK-3. Convening of task force. The task force shall convene no later than September 1, 2011.

Sec. KKK-4. Duties. The task force shall undertake a comprehensive analysis of departments and agencies within the executive branch, offices of the Constitutional officers, the Department of Audit and independent agencies statewide with the goals of prioritizing services provided by government agencies, consolidating functions and eliminating duplication and inefficiencies in programs, contracted personal services, state travel policies and advertising and public notice policies. In carrying out its duties, the task force shall investigate and identify major sources of administrative excess, redundancy and inefficiency and program overlap with other state, local or federal programs. The task force shall identify any positions that should be reduced, eliminated or consolidated to deliver optimum services in the most cost-effective manner, including

positions in the unclassified service and major policy-influencing positions as set out in the Maine Revised Statutes, Title 5, chapter 71, and in contracted personal services. The task force shall develop recommendations designed to achieve a targeted spending reduction of a minimum of \$25,000,000 in fiscal year 2012-13. The task force may establish subcommittees and draw on experts inside and outside of State Government.

Sec. KKK-5. Staff assistance. The Department of Administrative and Financial Services shall provide staff assistance to the task force.

Sec. KKK-6. Report to the Joint Committee on Appropriations and Financial Affairs. The task force shall submit monthly progress reports to the Joint Standing Committee on Appropriations and Financial Affairs and a report of its findings and recommendations any necessary implementing legislation to the Second Regular Session of the 125th Legislature Joint Standing Committee on Appropriations and Financial Affairs by December 15, 2011. The committee is authorized to submit legislation to the Second Regular Session of the 125th Legislature.

Sec. KKK-7. Commissioner Actions. If the committee fails to identify at least \$25,000,000 in savings through legislation submitted to and enacted by the Second Regular Session of the 125th 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. KKK-8. Appropriations and Allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Executive Branch Departments and Independent Agencies - Statewide 0017

Initiative: Deappropriates funds to reflect savings to be realized by those recommendations of Streamline and Prioritize Core Government Services Task Force proposed by the Joint Standing Committee on Appropriations and Financial Affairs

General Fund	FY 12	FY 13
Unallocated		(\$25,000,000)

SUMMARY

PART KKK

This amendment changes the membership of the task force to include four members of the Joint Standing Committee on Appropriations and Financial Affairs to be jointly appointed by the chairs of that committee; requires that at least one of those chosen be a

1 member of the Senate; and requires two members be chosen from each party. It also
2 requires monthly interim reports a final report by December 15, 2011 to the Joint
3 Standing Committee on Appropriations and Financial Affairs and requires the committee
4 to report its recommendations to achieve a minimum of \$25,000,000 to the Legislative
5 Council.

AFA

LD 1187

**Downtown Revitalization
Fund Board (ongoing)**

SP0362, LD 1187, item 1, 125th Maine State Legislature
 An Act To Authorize a General Fund Bond Issue To Revitalize Maine's
 Downtowns through Innovative Business Development and the Creative Economy

PART B

Sec. B-1. 5 MRSA §12004-F, sub-§19 is enacted to read:

19.

Expenses Only

5 MRSA §13075A

Downtown Revitalization Fund
 Board

Sec. B-2. 5 MRSA §13075-A is enacted to read:

§ 13075-A. Downtown Revitalization Fund

1. Fund established. The Downtown Revitalization Fund, referred to in this section as "the fund," is established.

2. Board. The Downtown Revitalization Fund Board, established in section 12004F, subsection 19 and referred to in this section as "the board," shall oversee the fund. The term of a board member is 2 years. The board is composed of 9 members as follows:

- A. Two members of the Senate, appointed by the President of the Senate;
- B. Two members of the House of Representatives, appointed by the Speaker of the House of Representatives;
- C. One member appointed by the Governor;
- D. One member representing postsecondary educational institutions, appointed by the Governor;
- E. One member who is a representative of the Finance Authority of Maine;
- F. One member who is a representative of a small business development center; and
- G. One member who is a representative of the Maine State Chamber of Commerce or its successor organization.

The board may elect a chair from its membership.

3. Sources of funds. The fund may accept funds from appropriations, allocations, bond proceeds, donations and principal and interest payments derived from loans made from the fund.

4. Purpose. The fund shall disburse loans and grants to encourage business development in downtown areas, targeting innovative businesses, light manufacturing, trades and small businesses and space for artists and artisans. Administrative expenses of the fund must be paid from the proceeds of the fund.

5. Administration. The board shall administer the fund with staff support from the Office of Community Development. The board shall adopt criteria for the administration of loans and grants from the fund to carry out the purpose of the fund under subsection 4, including the application process, recipient qualifications and terms and conditions of loans and grants disbursed by the fund. A loan from the fund must be matched by the recipient of the loan in the amount of \$1 from the recipient for every \$2 loaned from the fund to the recipient.

6. Nonlapsing. Any funds remaining in the fund at the end of a fiscal year do not lapse but carry forward to the next fiscal year.

Sec. B-3. Contingent effective date. This Part takes effect only if the General Fund bond issue proposed in Part A is approved by the voters of this State.

SUMMARY

The funds provided by this bond issue, in the amount of \$5,000,000, will be used as seed money to capitalize the Downtown Revitalization Fund, a revolving loan and grant fund to encourage business development in downtown areas, targeting innovative businesses, light manufacturing, trades and small businesses and space for artists and artisans. The Downtown Revitalization Fund is administered by a board consisting of public and private members and issues loans that must be matched by \$1 from the recipient for every \$2 received from the fund and issues grants.

EDU

LD 656

Task Force on Franco-Americans

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND ELEVEN

H.P. 486 - L.D. 656

Resolve, To Establish a Task Force on Franco-Americans

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 Franco-Americans is established to find ways to promote and preserve the Franco-American heritage that is shared by a great number of Maine citizens; and

Whereas, the study must be initiated before the 90-day period expires in order that the study may be completed and a report prepared 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 Franco-Americans, 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 of the public appointed by the Governor;
2. Four members appointed by the President of the Senate as follows:
 - A. One Senator; and
 - B. Three members of the public; and
3. Five members appointed by the Speaker of the House as follows:
 - A. Two members of the House of Representatives; and
 - B. Three members of the public; 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. After appointment of all members, the chairs shall call and convene the first meeting of the task force. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the task force to meet and conduct its business; and be it further

Sec. 5. Duties. Resolved: That the task force, upon determining a definition for who is a Franco-American, shall gather basic data about Franco-Americans, including, but not limited to, how many Franco-Americans reside in the State, the percentage of the State's population that is Franco-American, if they speak French, their educational achievement, their annual income and where they live, and shall find ways to promote and preserve the Franco-American heritage that is shared by a great number of Maine citizens. The Franco-American Center at the University of Maine shall work in conjunction with the task force in fulfilling the duties of the task force. The task force may also work with individuals or nonprofit or charitable organizations toward the completion of its duties and responsibilities; and be it further

Sec. 6. Staff assistance. Resolved: That, notwithstanding Joint Rule 353, 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 7, 2011, the task force shall provide a preliminary report with draft recommendations to the Second Regular Session of the 125th Legislature. The final report, including findings and recommendations, must be submitted to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs by November 7, 2012. That joint standing committee is authorized to introduce a bill to the First Regular Session of the 126th Legislature related to the subject matter of the report; and be it further

Sec. 8. Outside funding. Resolved: That the task force shall seek funding contributions to fully fund the costs of the study. All funding is subject to approval by the Legislative Council in accordance with its policies. If sufficient contributions to fund the study have not been received within 30 days after the effective date of this resolve, no meetings are authorized and no expenses of any kind may be incurred or reimbursed; and be it further

Sec. 9. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

LEGISLATURE

Study Commissions - Funding 0444

Initiative: Provides allocations to authorize expenditures for the Task Force on Franco-Americans in the event that funding for the task force is received by the Legislature from outside sources.

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
Personal Services	\$660	\$660
All Other	\$3,485	\$3,485
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,145	\$4,145

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

HHS

HP 597

**Joint Select Committee Health
Care Costs**

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

Joint Order Establishing the Joint Select Committee on Health Care Costs

ORDERED, the Senate concurring, that the Joint Select Committee on Health Care Costs is established as follows.

1. Joint Select Committee on Health Care Costs established. The Joint Select Committee on Health Care Costs, referred to in this order as "the committee," is established.

2. Membership. Notwithstanding Joint Rule 353, section 5, the committee consists of 17 members, appointed as follows:

A five 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 and with preference to members of the Joint Standing Committee on Insurance and Financial Services, Joint Standing Committee on Health and Human Services and Joint Standing Committee on Appropriations and Financial Affairs; and B twelve 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 with preference to members of the Joint Standing Committee on Insurance and Financial Services, Joint Standing Committee on Health and Human Services and Joint Standing Committee on Appropriations and Financial Affairs.

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

4. Appointments; convening of committee. All appointments must be made by June 20, 2011. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When the appointment of all members has been completed, the chairs of the committee shall call and convene the first meeting of the committee, which may not be held before June 20, 2011. If by June 20, 2011 a majority but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the committee to meet and conduct its business.

5. Duties. The committee shall review current health care costs in this State, including, but not limited to, the costs for health care delivery and health insurance, and determine the State's opportunities for reducing overall health care costs.

6. Consultation with stakeholders. The committee shall consult with stakeholders including the Office of the Governor; the Department of Health and Human Services; the Department of Professional and Financial Regulation, Bureau of Insurance; health insurance companies; hospitals; health care providers; business and labor representatives; and advocates for health care reform.

7. Staff assistance. Notwithstanding Joint Rule 353, subsection 6, the Legislative Council shall provide necessary staffing services to the committee.

8. Report. No later than December 7, 2011, the committee shall submit a report that includes its findings and recommendations, including suggested legislation, to the Second Regular Session of the 125th Legislature.

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

Amend the order in subsection 2 in the first paragraph in the first line by striking out the following: "17" and inserting the following: '13'

Amend the order in subsection 2 in paragraph A in the first line by striking out the following: "Five" and inserting the following: 'Three'

Amend the order in subsection 2 in paragraph A in the 2nd line by striking out the following: "members" and inserting the following: 'at least one member'

Amend the order in subsection 2 in paragraph B in the first line by striking out the following: "Twelve" and inserting the following: 'Ten'

SUMMARY

This amendment reduces from 17 to 13 the membership on the Joint Select Committee on Health Care Costs.

HHS

LD 1043, Part NN

**Dorothea Dix Psychiatric Center
Working Group**

06/07/11 7:45 PM

LD 1043

MSD

Requestor: Rep. Stevens

PART NN

Sec. NN -1. Dorothea Dix Psychiatric Center; working group established

Notwithstanding Joint Rule 353, The Commissioner of Health and Human Services shall convene a working group is established to develop a plan and suggested implementing legislation regarding the future role and structure of the Dorothea Dix Psychiatric Center effective June 30, 2012 including the transfer of personnel, position counts and other responsibilities, ~~when~~ if applicable, to other programs within the Department of Health and Human Services. The outcome of this initiative shall be to ensure the development of a comprehensive plan focused on the advancement of recovery milestones for persons with serious and persistent mental health conditions through the delivery of high quality efficient services. Improved health status, increased independence, improved life satisfaction, integration into the full community are all outcomes that will be the primary objectives of this process.

Sec. NN-2 Working group membership

~~1-~~The members of the working group are:

- ~~A.~~ One member of the Senate appointed by the President of the Senate. When making the appointment, the President of the Senate shall give preference to members from the area served by the Dorothea Dix Psychiatric Center and members of the majority party of that body.
- ~~B.~~ One member of the House appointed by the Speaker of the House. When making the appointment, the Speaker of the House shall give preference to members from the area served by the Dorothea Dix Psychiatric Center and members of the minority party of that body.
- ~~C.~~ C. The Commissioner of Health and Human Services or the commissioner's designee;
- ~~D.~~ D. The Superintendent of Dorothea Dix Psychiatric Center or the superintendent's designee;
- ~~E.~~ E. The Superintendent of Riverview Psychiatric Center or the superintendent's designee;
- ~~F.~~ F. One representative each from both private not for profit free-standing psychiatric hospitals. The Chief Executive Officer of Spring Harbor Hospital or the Chief Executive Officer's designee

- ~~G. The Chief Executive Officer of Acadia Hospital or the chief executive officer's designee~~
- ~~E. G. The Commissioner of Administrative and Financial Services or the commissioner's designee;~~
- ~~F. H. Two representatives of consumers appointed by the Governor The Executive Director of the Consumer Council System of Maine or the executive director's designee; and one additional member of the Consumer Council System of Maine appointed by the executive director.~~
- ~~G. I. One representative from The Executive Director of the Disability Rights Center appointed by the Governor or the executive director's designee;~~
- ~~H. J. The Executive Director of NAMI Maine or the executive director's designee.~~
- ~~I. K. Four members representing community agencies that provide services to individuals with mental illness, appointed by the Governor. The Executive Director of Aroostook Mental Health Services, Inc. or the executive director's designee~~
- ~~J. The Executive Director of Community Health and Counseling Services Inc. or the executive director's designee.~~
- ~~K. The Chief Executive Officer of The Charlotte White Center or the chief executive officer's designee.~~
- ~~L. The President of the Eastern Maine Development Corporation or the president's designee.~~
- ~~M. One member of the staff of Dorothea Dix Psychiatric Center appointed by the President of the Maine State Employees Association.~~
- ~~N. One member of the staff of Dorothea Dix Psychiatric Center appointed by the President of AFSCME Maine~~

Sec. NN-3 Working group chairs

2. The Commissioner of Health and Human Services shall serve as the chair of the working group.

Sec. NN-4 Staff assistance

3. The Department of Health and Human Services shall provide staff assistance to the working group.

4. ~~The working group shall submit its plan proposed legislation to the joint standing committees having jurisdiction over health and human services matters and appropriations and financial affairs matters no later than December 1, 2011. After receipt and review of the proposal, the committees shall submit legislation to the Second Regular Session of the 125th Legislature to implement the recommendations regarding the Dorothea Dix Psychiatric Center.~~

Sec. NN-5 Report

A 5-In developing recommendations and suggested implementing legislation. The working group shall develop the a plan to ensure that:

- 1) The plan establishes recovery outcomes to be tracked;
- 2) The transitional needs of patients are effectively met.
- 3) The plan includes provision of essential community living supports for housing, vocational and non-vocational involvements, and healthcare.
- 4) Includes support for other critical community-based resources and treatment services.
- 5) Focuses on integrating all health care.
- 6) That adequate capacity exists locally for inpatient hospitalizations
- 7) That adequate essential community care services to support outcomes are available.
- 8) Community and family education is optimized to support integration.
- 9) High quality efficient service delivery is achieved.

B. -4. The working group shall submit its plan proposed legislation to the joint standing committees having jurisdiction over health and human services matters and appropriations and financial affairs matters no later than December 1, 2011. After receipt and review of the proposal, the committees ~~shall~~ may submit legislation to the Second Regular Session of the 125th Legislature to implement the recommendations regarding the Dorothea Dix Psychiatric Center.

SUMMARY PART NN

TBD.

HHS

LD 1558

**Commission to Study Allocations of
the Fund for a Healthy Maine**

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND ELEVEN

H.P. 1144 - L.D. 1558

Resolve, To Study Allocations of the Fund for a Healthy Maine

Sec. 1. Commission established. Resolved: That the Commission To Study Allocations of the Fund for a Healthy Maine, referred to in this resolve as "the commission," is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of no more than 13 members appointed as follows:

1. The President of the Senate shall:

A. Appoint 3 members of the Senate, including a member from each of the 2 parties holding the largest number of seats in the Legislature. At least one of the appointees must serve on the Joint Standing Committee on Appropriations and Financial Affairs and at least one of the appointees must serve on the Joint Standing Committee on Health and Human Services; and

B. Appoint one person representing municipal public health departments and one person representing a major voluntary nonprofit health organization; and

2. The Speaker of the House of Representatives shall:

A. Appoint 4 members of the House of Representatives, including members from each of the 2 parties holding the largest number of seats in the Legislature. At least one of the appointees must serve on the Joint Standing Committee on Appropriations and Financial Affairs and at least one of the appointees must serve on the Joint Standing Committee on Health and Human Services; and

B. One person representing a statewide organization of public health professionals, one person representing a public health organization or agency operating in a rural community, one person representing the organizations providing services supported by funds from the Fund for a Healthy Maine and one person who possesses expertise in the subject matter of the study under this resolve; 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 commission; and be it further

Sec. 4. Appointments; convening of commission. Resolved: That all appointments must be made no later than 10 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 made. The chairs of the commission shall call and convene the first meeting of the commission within 15 days of the effective date of this resolve. If a majority of but not all appointments have been made within 10 days of the effective date of this resolve, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business; and be it further

Sec. 5. Meetings. Resolved: That the commission may meet only when the Legislature is not in regular or special session. The commission is authorized to meet up to 6 times to accomplish its duties; and be it further

Sec. 6. Duties. Resolved: That the commission shall review the alignment of allocations from the Fund for a Healthy Maine, established in the Maine Revised Statutes, Title 22, section 1511, with the State's current public health care and preventive health priorities and goals. The commission shall gather information and data from public and private entities as necessary to:

1. Identify or review the State's current public health care and preventive health priorities and goals;
2. Identify or review strategies for addressing priorities and goals and potential effectiveness of those strategies;
3. Assess the level of resources needed to properly pursue the strategies identified in subsection 2;
4. Make recommendations for how Fund for a Healthy Maine funds should be allocated to most effectively support the State's current public health and preventive health priorities, goals and strategies; and
5. Make recommendations for processes to be used to ensure that Fund for a Healthy Maine allocations stay aligned with the State's health priorities and goals; and be it further

Sec. 7. Cooperation. Resolved: That the Commissioner of Administrative and Financial Services, the Commissioner of Education, the Commissioner of Health and Human Services and the Director of the Maine Center for Disease Control and Prevention within the Department of Health and Human Services shall provide information and data to the commission as necessary for its work; and be it further

Sec. 8. Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the commission; and be it further

Sec. 9. Report. Resolved: That, no later than December 7, 2011, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Health and Human Services.

IFS

LD 1338

**DPFR Evaluation of Ways to
Streamline the State's Foreclosure
Prevention Outreach and Housing
Counseling Program**

1 officer must be filed in a manner prescribed by the administrator and include the name,
2 address and work location of the loan officer and such additional information as is
3 reasonably requested by the administrator. An applicant's registration of a loan officer
4 within 90 days of the date that registration would otherwise be required does not
5 constitute a violation of this section. A license may not be issued unless the
6 administrator, upon investigation, finds that the financial responsibility, character and
7 fitness of the applicant and, where applicable, its partners, officers or directors and the
8 character and fitness of its loan officers mortgage loan originators, warrant belief that the
9 business will be operated honestly and fairly within the purposes of this Title. The
10 administrator may adopt rules requiring that applicants, applicants' partners, officers or
11 directors and employees of applicants satisfy initial and continuing educational
12 requirements. The reasonable costs of meeting such educational requirements are
13 assessed to applicants. Providers of initial and continuing education courses of study
14 shall submit each course to the administrator for approval, and each submission must be
15 accompanied by a \$100 fee. Rules adopted pursuant to this section are routine technical
16 rules pursuant to Title 5, chapter 375, subchapter 2-A.

17 The Except as set forth by regulation governing participation in the nationwide
18 mortgage licensing system and registry for mortgage lender licensing, the initial
19 application for a license as a loan broker must include a fee of \$600. The and the biennial
20 relicensing application must include a fee of \$300. Initial applicants and biennial
21 relicensing applicants must pay an additional fee of up to \$20 for registration of each loan
22 officer, up to a maximum of \$400 in total. Notwithstanding other remedies available
23 under this Title, applications received after the due date are subject to an additional fee of
24 \$100.

25 A licensee may conduct business only at or from a place of business for which the
26 licensee holds a license and not under any other name than that on the license. A Except
27 as set forth by regulation governing participation in the nationwide mortgage licensing
28 system and registry for mortgage lender licensing, a license fee of \$300 is imposed for a
29 license issued for a place of business other than that of the first licensed location of the
30 licensee. A and a biennial relicensing application for each such branch location must
31 include a fee of \$150.

32 A licensed loan broker may conduct business only through a loan officer mortgage
33 loan originator who possesses a current, valid registration license. A loan officer must be
34 registered at the loan officer's principal licensed work location and may then work from
35 any licensed location of the loan broker. The registration of a loan officer is valid only
36 when that person is employed or retained and supervised by a licensed loan broker.
37 When a loan officer ceases to be employed by a licensed loan broker, the loan broker
38 shall promptly notify the administrator in writing.'

39 Amend the bill by inserting after Part B the following:

40 'PART C

41 Sec. C-1. Evaluation of ways to streamline the State's foreclosure
42 prevention outreach and housing counseling program. The Department of
43 Professional and Financial Regulation, Bureau of Consumer Credit Protection, referred to

1 in this Part as "the bureau," shall facilitate meetings and other communications among
2 interested parties to evaluate and determine the ways in which the State's foreclosure
3 prevention outreach and housing counseling program may be streamlined and made more
4 efficient in accordance with this section.

5 1. The bureau shall invite participation from representatives of the following groups:

6 A. State-chartered banks;

7 B. State-chartered credit unions;

8 C. Nondepository licensed mortgage lenders;

9 D. Federally chartered financial institutions;

10 E. Loan servicers;

11 F. Attorneys who represent lenders;

12 G. Attorneys who represent homeowners;

13 H. Nonprofit housing counselors;

14 I. Homeowners;

15 J. The Department of Professional and Financial Regulation, Bureau of Financial
16 Institutions; and

17 K. Two members of the Joint Standing Committee on Insurance and Financial
18 Services, representing each of the 2 parties holding the largest number of seats in the
19 Legislature.

20 The bureau may invite additional interested parties to attend and participate.

21 2. The bureau shall ensure that the interested parties evaluate, at a minimum, the
22 following issues:

23 A. Whether the mailing of informational packages from the State should be delayed,
24 from the current requirement for mailing simultaneously with the notice of right to
25 cure default pursuant to the Maine Revised Statutes, Title 14, section 6111, to a later
26 time, such as after the homeowner is 60 days in default;

27 B. Whether the results of housing counselor efforts should be reported in a
28 standardized format to make evaluation of those results more efficient;

29 C. Whether the informational package mailing process under paragraph A could be
30 carried out by the lenders rather than by the bureau;

31 D. Whether lenders and servicers should be required to make available to regulators,
32 counselors or consumers the names and contact information for individuals within the
33 lenders' and servicers' companies who are authorized to approve loan modifications,
34 short sales or other alternatives to foreclosure;

35 E. Whether joint obligors on a mortgage can be provided with a single informational
36 packet under paragraph A, rather than the current requirement that every mortgagor
37 receive that information;

38 F. Whether the current composition of the informational package under paragraph A
39 can be improved to be clearer, more understandable to and more useable by
40 homeowners;

1 G. How the outreach and counseling process can best be integrated, when necessary,
2 into the judicial system's foreclosure mediation program pursuant to Title 14, section
3 6321-A; and

4 H. Any other issues, as appropriate.

5 3. The bureau shall provide notice of meetings to all interested parties and to
6 members and staff of the Joint Standing Committee on Insurance and Financial Services.

7 4. The bureau shall report the findings of the interested parties, including any
8 recommendations and suggested legislation, to the Joint Standing Committee on
9 Insurance and Financial Services by December 7, 2011. The committee may submit a bill
10 related to the suggested legislation to the Second Regular Session of the 125th
11 Legislature.

12 PART D

13 Sec. D-1. 9-A MRSA §1-202, sub-§8, ¶A, as amended by PL 2007, c. 471, §1
14 and affected by §18, is further amended to read:

15 A. With respect to advances of additional funds on the loan or credit sale made more
16 than 30 days after the initial advance, this exclusion applies only to advances made:

17 (1) Pursuant to the terms of a construction financing agreement;

18 (2) To protect the security or to perform the covenants of the consumer;

19 (3) As negative amortization of principal under the terms of the financing
20 agreement;

21 (4) From funds withheld at consummation pending the resolution of matters that
22 otherwise would tend to delay or prevent closing, including, without limitation,
23 remedy of title defects or repairs to meet appraisal standards; or

24 (5) Pursuant to the terms of a reverse mortgage transaction, as defined in section
25 8-103, subsection 1-A, paragraph Y the Federal Truth in Lending Act, 15 United
26 States Code, Section 1601 et seq., if the transaction is made pursuant to a
27 commitment to purchase issued by, or is in a form approved for purchase by, any
28 state or federal agency, instrumentality or government-sponsored enterprise,
29 including, without limitation, the Federal National Mortgage Association or the
30 Federal Home Loan Mortgage Corporation;

31 Sec. D-2. 9-A MRSA §1-202, sub-§10, as enacted by PL 2005, c. 55, §3, is
32 amended to read:

33 10. A no-interest loan or credit sale by a nonprofit organization that assists in
34 building or renovating housing for those in need. The exclusion in this subsection does
35 not apply to Article 6, Part 1; section 6-201; section 6-202; section 6-203, subsection 1;
36 section 6-204; or Article 8 8-A.

37 Sec. D-3. 9-A MRSA §1-202, last ¶, as amended by PL 1987, c. 396, §3, is
38 further amended to read:

JUD

LD 951

**Commission to Study Priorities and
Timing of Judicial Proceedings in
Court**

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND ELEVEN

S.P. 297 - L.D. 951

**Resolve, Establishing the Commission To Study Priorities and Timing of
Judicial Proceedings in State Courts**

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 legislation establishes the Commission To Study Priorities and Timing of Judicial Proceedings in State Courts; 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 To Study Priorities and Timing of Judicial Proceedings in State Courts established. Resolved: That the Commission To Study Priorities and Timing of Judicial Proceedings in State Courts, referred to in this resolve as "the commission," is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of 11 members appointed as follows:

1. Three members of the Senate appointed by the President of the Senate, including at least one member from each of the 2 parties holding the largest number of seats in the Legislature;
2. Four members of the House of Representatives appointed by the Speaker of the House, including at least one member from each of the 2 parties holding the largest number of seats in the Legislature;
3. Two members appointed by the Chief Justice of the Supreme Judicial Court;

4. One member appointed by the Attorney General; and

5. One representative of the Maine Trial Lawyers Association designated by the Maine Trial Lawyers Association; 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 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. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business; and be it further

Sec. 5. Participation. Resolved: That the commission shall seek the participation of the Maine State Bar Association, the Maine Prosecutors Association, Pine Tree Legal Assistance, the Maine Commission on Indigent Legal Services and the Maine Association of Criminal Defense Lawyers and may seek the participation of any other individuals or organizations whose participation or input may be helpful; and be it further

Sec. 6. Duties. Resolved: That the commission shall study the priority and timing of judicial proceedings in state courts including, but not limited to, judicial proceedings that require priority treatment pursuant to statute; and be it further

Sec. 7. Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the commission; and be it further

Sec. 8. Report. Resolved: That, no later than December 7, 2011, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Judiciary. The Joint Standing Committee on Judiciary is authorized to introduce a bill related to the subject matter of the report to the Second Regular Session of the 125th Legislature.

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

JUD

LD 1477

**Committee to Review Issues Dealing
with Regulatory Takings**

COPY

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND ELEVEN

H.P. 1086 - L.D. 1477

Resolve, To Review Issues Dealing with Regulatory Takings

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 Committee to Review Issues Dealing with Regulatory Takings is established to study issues associated with property rights and the public welfare; 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. Committee established. Resolved: That the Committee to Review Issues Dealing with Regulatory Takings, referred to in this resolve as "the committee," is established; and be it further

Sec. 2. Committee membership. Resolved: That the committee consists of 13 members appointed as follows:

1. Three members of the Senate appointed by the President of the Senate, including at least one member from each of the 2 parties holding the largest number of seats in the Legislature;
2. Four members of the House of Representatives appointed by the Speaker of the House, including no more than 2 members from the party holding the largest number of seats in the Legislature;
3. One member representing private property owners with over 100 acres of real property, appointed by the President of the Senate. The President of the Senate may consider recommendations made by the Maine Farm Bureau, the Maine Forest Products Council and the Small Woodland Owners Association of Maine;

4. One member representing municipal government, appointed by the President of the Senate. The President of the Senate may consider recommendations made by the Maine Municipal Association;

5. One member representing conservation interests, appointed by the President of the Senate. The President of the Senate may consider recommendations made by the Natural Resources Council of Maine, the state chapter of the Nature Conservancy and Maine Audubon;

6. One member representing the business sector, appointed by the Speaker of the House. The Speaker of the House may consider recommendations from the Maine State Chamber of Commerce and the Maine National Federation of Independent Business;

7. One member representing private attorneys who have experience practicing in the subject area of takings law in the State, appointed by the Speaker of the House; and

8. The Attorney General or the Attorney General'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 committee; and be it further

Sec. 4. Appointments; convening of committee. 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. After appointment of all members, the chairs shall call and convene the first meeting of the committee. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the committee to meet and conduct its business; and be it further

Sec. 5. Duties. Resolved: That the committee shall study the issues associated with property rights and the public welfare. In examining these issues, the committee shall review whether barriers to relief from a regulatory taking currently exist. The committee may, without limitation, in the course of evaluating whether such barriers exist:

1. Review and analyze the Report of the Study Commission on Property Rights and the Public Health, Safety and Welfare, completed in 1995, and the recommendations made in the report;

2. Study the experiences of the land use mediation program, established in the Maine Revised Statutes, Title 5, section 3341 by the 117th Legislature for the purpose of providing private landowners with an independent forum for mediation of governmental land use actions as an alternative to court action;

3. Study regulatory takings legislation considered in other states, including Oregon and Florida, and also states where such legislation has been considered and not adopted

13. Whether the "whole parcel rule" should be part of a new compensable regulatory takings program;

14. Establishment of an appropriate statute of limitations for filing claims for compensation for regulatory takings;

15. Whether a waiver of sovereign immunity is necessary; and

16. Whether a dedicated state fund should be established to pay claims for compensation; and be it further

Sec. 7. Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the committee; and be it further

Sec. 8. Report. Resolved: That, no later than December 7, 2011, the committee shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Judiciary. The Joint Standing Committee on Judiciary may report out legislation relating to the report to the Second Regular Session of the 125th Legislature.

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

LCRED

LD 841

**Blue Ribbon Commission on
Affordable Housing**

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND AND ELEVEN

—
H.P. 638 - L.D. 841

Resolve, To Establish the Blue Ribbon Commission on Affordable Housing

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

Whereas, a 2009 study of the Maine housing market by the Massachusetts Institute of Technology Center for Real Estate concluded 86,000 Maine households, including 34,000 elderly households, have severe housing affordability problems; and

Whereas, in 2009 the United States Census Bureau named Maine the State with the oldest population, which creates a disparity between the State's housing needs and supply, leaving the elderly to try to maintain housing larger than they need and can afford; and

Whereas, Maine's housing organizations have waiting lists that are often double or more the number of units they manage, meaning today's applicants must wait years for an apartment; and

Whereas, a 2010 survey found that there are 12,221 Section 8 housing choice vouchers authorized for use by housing agencies in Maine, yet another 12,795 households remain on waiting lists and almost half of those lists are closed to new applicants; and

Whereas, lack of affordable housing forces 750 to 800 Maine people to emergency homeless shelters each night, with over 7,000 individuals using shelters each year; and

Whereas, this legislation establishes the Blue Ribbon Commission on Affordable Housing, which is charged with the duty of reviewing the current status of housing in Maine, including its affordability, energy efficiency and impact on the economy; identifying regulatory barriers to affordable housing; and making recommendations to make the most efficient use of available resources supporting affordable housing; and

Whereas, in order for the appointing authorities to make their appointments and for the commission to have sufficient time to conclude its work, it is necessary for this legislation to take effect immediately; 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 Blue Ribbon Commission on Affordable Housing, referred to in this resolve as "the commission," is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of the following 17 members appointed as follows:

1. Two members from the Senate, appointed by the President of the Senate. In making these appointments, the President shall give preference to a member of the Joint Standing Committee on Labor, Commerce, Research and Economic Development;
2. Two members from the House of Representatives, appointed by the Speaker of the House of Representatives. In making these appointments, the Speaker shall give preference to a member of the Joint Standing Committee on Labor, Commerce, Research and Economic Development;
3. The Executive Director of the Maine State Housing Authority or the executive director's designee;
4. The Commissioner of Economic and Community Development or the commissioner's designee;
5. One representative of a statewide group dedicated to providing affordable housing, appointed by the Speaker of the House;
6. One representative of a statewide nonprofit group advocating on behalf of seniors, appointed by the Speaker of the House;
7. One representative of an organization practicing conservation planning, appointed by the Speaker of the House;
8. One representative of a statewide real estate organization, appointed by the Speaker of the House;
9. One representative of a developer of affordable housing, appointed by the Speaker of the House;
10. One representative of a statewide construction organization, appointed by the President of the Senate;
11. One representative who is an advocate for low-income persons, appointed by the President of the Senate;
12. One representative of a company producing modular housing, appointed by the President of the Senate;

13. One representative of a statewide supportive housing developer, appointed by the President of the Senate;

14. One representative of a provider of services to the homeless, appointed by the President of the Senate; and

15. One representative of the board of trustees of the Midcoast Regional Redevelopment Authority, appointed by the President of the Senate.

The commission shall invite the state director of the Maine office of the United States Department of Agriculture or the director's designee to participate; and be it further

Sec. 3. Chairs. Resolved: That the first-named Senate member is the Senate chair of the commission 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. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business; and be it further

Sec. 5. Duties. Resolved: That the commission shall conduct a study of affordable housing policy in this State, review the status of housing in the State and develop a plan to maximize the investment of available resources and best meet the housing needs of the people of this State. The commission shall consider both single-family and multifamily housing.

1. In conducting its study, the commission shall:

- A. Review current data and research on affordable housing among the New England states and nationally;
- B. Assess the economic impact of affordable housing in this State;
- C. Review innovative affordable housing programs in other states; and
- D. Identify regulatory barriers to affordable housing.

2. The commission shall make recommendations to:

- A. Make the most effective use of state and federal resources, including leveraging private investment;
- B. Make the most effective use of the Housing Opportunities for Maine Program as established in the Maine Revised Statutes, Title 30-A, section 4852 to provide access to housing that is decent, safe and sound;
- C. Improve the economy through a measurable increase in construction of affordable housing;

D. Address the housing needs of Maine's elderly;

E. Address the severe affordable housing shortage that leaves thousands homeless each year;

F. Preserve existing affordable housing, including preserving access to energy efficiency programs; and

G. Reduce emergency service expenditures by state and local government by creating permanent supportive housing for the homeless.

The recommendations must, to the fullest extent possible, build upon current efforts and include an estimate of the costs associated with implementing them; and be it further

Sec. 6. Staff assistance. Resolved: That, notwithstanding Joint Rule 353, and upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the commission; and be it further

Sec. 7. Compensation. Resolved: That the members of the commission who are Legislators are entitled to the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for necessary expenses incurred for their attendance at authorized meetings of the commission. Other members of the commission who are not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses incurred for their attendance at authorized meetings; and be it further

Sec. 8. Report. Resolved: That the commission shall submit its report, including the recommendations required by section 5, together with any necessary implementing legislation, to the Second Regular Session of the 125th Legislature no later than February 15, 2012. The report must be presented to the Joint Standing Committee on Labor, Commerce, Research and Economic Development, which may report out a bill to the Second Regular Session of the 125th Legislature; and be it further

Sec. 9. Funding. Resolved: That the commission shall seek funding contributions to fully fund the costs of the study. All funding is subject to approval by the Legislative Council in accordance with its policies. If sufficient contributions to fund the study have not been received within 30 days after the effective date of this resolve, no meetings are authorized and no expenses of any kind may be incurred or reimbursed; and be it further

Sec. 10. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

LEGISLATURE

Study Commissions - Funding 0444

Initiative: Authorizes the expenditure of funding that may be received from outside sources for the Blue Ribbon Commission on Affordable Housing.

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
Personal Services	\$880	\$0
All Other	\$3,750	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$4,630</u>	<u>\$0</u>

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

ACF

LD 1534

**Commission on Reform of the
Governance of Land Use Planning in
the Unorganized Territory**

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND ELEVEN

H.P. 1126 - L.D. 1534

**Resolve, To Reform the Land Use and Planning Authority in the
Unorganized Territory**

Sec. 1. Commission on Reform of the Governance of Land Use Planning in the Unorganized Territory established. Resolved: That the Commission on Reform of the Governance of Land Use Planning in the Unorganized Territory, referred to in this resolve as "the commission," is established to advise the Joint Standing Committee on Agriculture, Conservation and Forestry on matters relating to land use planning and regulation in the unorganized territory; and be it further

Sec. 2. Membership. Resolved: That the commission consists of 13 members, as follows:

1. The Commissioner of Conservation or the commissioner's designee;
2. Two residents of the unorganized territory, one appointed by the President of the Senate and one appointed by the Speaker of the House;
3. One representative of a large landowner in the unorganized territory engaged in the forest products industry, appointed by the Governor;
4. One representative of a small landowner in the unorganized territory engaged in the forest products industry, appointed by the Governor;
5. Two county commissioners from counties with significant acreage in the unorganized territory, one appointed by the President of the Senate, and one appointed by the Speaker of the House;
6. One representative of a statewide sportsmen's organization, appointed by the Governor;
7. One representative of a statewide environmental or conservation organization, appointed by the President of the Senate;
8. One representative of a regional environmental or conservation organization, appointed by the Speaker of the House;

9. One representative of the tourism or outdoor recreation industry in the unorganized territory, appointed by the Governor;

10. One representative of a regional or local economic development organization serving an area that includes unorganized territory, appointed by the President of the Senate; and

11. One regional planner from a council of governments in a county with significant acreage in the unorganized territory, appointed by the Speaker of the House; and be it further

Sec. 3. Chair. Resolved: That, after all members of the commission have been named, the Governor shall designate one member to serve as chair and another member to serve as vice-chair; and be it further

Sec. 4. Duties. Resolved: That the commission shall:

1. Consider reforming the governance of land use planning in the unorganized territory and make recommendations on the role of state agencies and county government, the planning and appeals process and opportunities for increased self-determination in land use planning in the unorganized territory;

2. Ensure that any recommendation that entails the elimination of the Maine Land Use Regulation Commission, referred to in this resolve as "LURC," provides an effective transition process, including a plan for LURC to complete any pending work or transfer the work to relevant agencies;

3. Ensure uniform standards across the unorganized territory for timber harvesting activities and forest management, wildlife habitat protection and issues under the jurisdiction of the Natural Resources Protection Act; and

4. Consider options for reforming the governance of land use planning in the unorganized territory; and be it further

Sec. 5. Meetings; interim update. Resolved: That the commission shall meet as necessary to complete the assigned duties. The commission shall hold no fewer than 2 public listening sessions on dates determined by the commission. The commission shall meet with the Joint Standing Committee on Agriculture, Conservation and Forestry no later than October 28, 2011 for an update on the progress of the commission; and be it further

Sec. 6. Staffing. Resolved: That the Department of Conservation shall provide staff support to the commission within existing resources. The Commissioner of Conservation shall invite resource people to assist as appropriate, including individuals with past experience as LURC commissioners and staff; and be it further

Sec. 7. Compensation. Resolved: That members of the commission do not receive compensation for their time, travel or other expenses; and be it further

Sec. 8. Report. Resolved: That the commission shall complete its work no later than December 15, 2011 and submit its report and recommendations to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than January 4, 2012; and be it further

Sec. 9. Authority to submit legislation. Resolved: That the Joint Standing Committee on Agriculture, Conservation and Forestry shall submit legislation reforming the governance of land use planning in the unorganized territory to the Second Regular Session of the 125th Legislature to take effect in fiscal year 2012-13.

IFS

LD 1582

**Consultation of IFS Committee with
the Advisory Committee on Maine's
Health Insurance Exchange**

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND ELEVEN

H.P. 1165 - L.D. 1582

**Resolve, Creating the Advisory Committee on Maine's Health Insurance
Exchange**

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

Whereas, to be eligible for health insurance exchange funding, the Federal Government requires the states to make substantial progress in the following core areas: background research; stakeholder consultation; legislative and regulatory action; governance; program integration; exchange information technology systems; financial management; oversight and program integrity; health insurance market reforms; providing assistance to individuals and small businesses, coverage appeals and complaints; and business operation; and

Whereas, the deadlines for applying for the next round of federal funding are September 30, 2011 and December 31, 2011; 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. Advisory Committee on Maine's Health Insurance Exchange established. Resolved: That the Advisory Committee on Maine's Health Insurance Exchange, referred to in this resolve as "the advisory committee," is established to develop and provide recommendations, including suggested enabling legislation, to the Governor and the Legislature for a health insurance exchange that addresses the core areas specified by the Federal Government and consider the views of the health care industry and other stakeholders; and be it further

Sec. 2. Membership of the advisory committee. Resolved: That the advisory committee consists of no more than 9 members appointed by the Governor, after consultation with the chairs and lead minority members of the Joint Standing Committee on Insurance and Financial Services. The Governor shall appoint members that represent the diverse interests of stakeholders related to the establishment of a health insurance exchange. The members must include representatives of key constituencies, including,

but not limited to, health care providers, insurers, health insurance producers, consumers, employers with more than 50 employees, employers with 50 or fewer employees and the Board of Trustees of Dirigo Health. Prior to making appointments to the advisory committee, the Governor shall seek nominations from statewide associations representing the interests of stakeholders identified in this section and other entities as appropriate; and be it further

Sec. 3. Chair. Resolved: That the Governor shall appoint a chair from among the members of the advisory committee; and be it further

Sec. 4. Duties of the advisory committee. Resolved: That the advisory committee shall:

1. Review and consider the recommendations issued by the 124th Legislature's Joint Select Committee on Health Care Reform with respect to a health insurance exchange;

2. Consider the rules issued by the Federal Government subsequent to the passage of the Patient Protection and Affordable Care Act and their impact on the creation and operations of a health insurance exchange;

3. In an effort to create efficiencies, review the work products of other states to consider what elements of their health insurance exchange activities might be used in this State;

4. Establish technical committees or seek the advice of technical experts when necessary to execute the duties included in this resolve; and

5. Seek input from and report regularly to legislative leadership, the Joint Standing Committee on Insurance and Financial Services and the Governor's office throughout the advisory committee's deliberations; and be it further

Sec. 5. Meetings. Resolved: That meetings of the advisory committee must be conducted in public in accordance with the Maine Revised Statutes, Title 1, chapter 13. The advisory committee shall provide notice of its meetings to the Joint Standing Committee on Insurance and Financial Services; and be it further

Sec. 6. Consultation with Legislature. Resolved: That the Joint Standing Committee on Insurance and Financial Services is authorized to hold 3 meetings before the Second Regular Session of the 125th Legislature for the purpose of consulting with the advisory committee; and be it further

Sec. 7. Staffing. Resolved: That Dirigo Health shall provide staffing services to the advisory committee. As necessary, the Department of Professional and Financial Regulation, Bureau of Insurance; the Department of Administrative and Financial Services, Office of Information Technology; the Department of Health and Human Services; and the State Coordinator for Health Information Technology shall also provide staffing assistance to the advisory committee; and be it further

Sec. 8. Report. Resolved: That the advisory committee shall submit a report, including its recommendations and suggested legislation, to the Governor and the Joint Standing Committee on Insurance and Financial Services no later than September 1, 2011.

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

VLA

LD 848

**VLA Committee Review of the
Commission on Governmental Ethics
and Practices Study Report on the
Maine Clean Elections Act**

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND AND ELEVEN

—
S.P. 251 - L.D. 848

Resolve, Directing the Commission on Governmental Ethics and Election Practices To Study Modifying the Maine Clean Election Act

Sec. 1. Commission on Governmental Ethics and Election Practices to study the Maine Clean Election Act. Resolved: That the Commission on Governmental Ethics and Election Practices shall study the Maine Clean Election Act to address any adverse rulings by the United States Supreme Court in the case of McComish v. Bennett, No. CV-08-1550-PHX-ROS (D. Ariz. Jan. 20, 2010); and be it further

Sec. 2. Report. Resolved: That the Commission on Governmental Ethics and Election Practices shall submit a report of its findings including any suggested changes to the Maine Clean Election Act pursuant to the study under section 1 by October 15, 2011 to the Joint Standing Committee on Veterans and Legal Affairs. The Joint Standing Committee on Veterans and Legal Affairs shall report out legislation based on the report by December 1, 2011 for presentation to the Second Regular Session of the 125th Legislature.

LEGISLATIVE STUDY REQUESTS (Blue sheets in packet)

Date Reported						House Status	House Status Date	Senate Status	Senate Status Date	FY 12 and FY 13 Cost		
LD	LR	Comm	Out	Sponsor	Latest Action	House Status		Senate Status				
1043	2067	AFA	6/13/11	FLOOD	OTP-AM	EMER ENACTED	123-19	6/16/11 ENG AS AMENDED BY	CA AS AM B	6/15/11	\$4,000	Streamline Gov't & Dix center working group
1187	1488	AFA	1/0/00	SULLIVAN	Carry Over Request	REF. IN CON.	AFA	3/22/11 REF'D TO COMMITTEE	AFA	3/22/11	\$4,000	Downtown Revitalization Board
656	563	EDU	4/12/11	FREDETTE	OTP-AM	EMER FINALLY PASSED	144-2	4/28/11 STUDY TABLE		5/3/11	\$8,290	Franco-American Task Force
1558	2152	HHS	5/31/11		Ant. Div. Rep.	FINALLY PASSED		6/7/11 STUDY TABLE		6/8/11	\$6,960	FHM allocations
HP 597	1143	HHS	5/31/11	FOSEL	OTP-AM	ENG AS AMENDED BY	CA	6/1/11 STUDY TABLE		6/3/11	\$7,250	Health care costs
1338	366	IFS	6/15/11	WHITTEMORE	OTP-AM	ENG AS AMENDED BY	CA	6/15/11 ENG AS AMENDED BY	CA	6/15/11	\$1,000	DPFR streamlining
951	1562	JUD	6/1/11	HASTINGS	OTP-AM	EMER FINALLY PASSED	123-0	6/3/11 STUDY TABLE		6/3/11	\$4,490	Judicial proceedings priorities
1477	1866	JUD	6/9/11	CUSHING	OTP-AM	EMER FINALLY PASSED	129-0	6/14/11 STUDY TABLE		6/14/11	\$4,690	Regulatory takings
841	1821	LCED	6/3/11	CUSHING	OTP-AM	FAILED FINAL PASSAGE		6/7/11 STUDY TABLE		6/7/11	<u>\$4,630</u>	Affordable housing
											\$45,310	

INTERIM COMMITTEE MEETING REQUESTS (Green sheets in packet)

Date Reported						House Status	Senate Status	FY 12 and FY 13				
LD	LR	Comm	Out	Sponsor	Latest Action	Date	Senate Status	Status Date	Cost			
1534	1640	ACF	6/7/11	GIFFORD	Ant. Div. Rep.	FINALLY PASSED	6/14/11	STUDY TABLE	6/14/11	\$1,625	ACF meeting with LURC study	
1582	2186	IFS	1/0/00			EMER FINALLY PASSED	108-13	6/8/11	STUDY TABLE	6/8/11	\$4,875	IFS meetings with health insurance exchange
848	824	VLA	4/28/11	PATRICK	OTP-AM	FINALLY PASSED		5/16/11	STUDY TABLE	5/16/11	<u>\$3,250</u>	VLA meeting to review clean election report
										\$9,750		