

MAINE STATE LEGISLATURE

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H.P. 1307

**Task Force on Changes to the Maine
Indian Claims Settlement
Implementing Act**

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 Task Force on Changes to the Maine Indian Claims Settlement Implementing Act

WHEREAS, the ancestors of the members of the federally recognized tribes located in what is now the State of Maine inhabited these lands since time immemorial; and

WHEREAS, the tribal nations entered into the first treaty with the United States of America in July 1776 following its Declaration of Independence; and

WHEREAS, the United States adopted its Constitution in 1787 and the people of the State of Maine adopted their Constitution in 1819; and

WHEREAS, Indian tribes and their members have a legal political status recognized by the United States Constitution, including in Article I, Section 8, and by the Constitution of Maine, including in Article X, Section 5, and pursuant to various treaties entered into by the tribal nations and what is now the State of Maine; and

WHEREAS, in 1972, the Passamaquoddy Tribe initiated a claim against the United States government alleging that the transfer of a significant amount of tribal lands to the Commonwealth of Massachusetts, including the District of Maine, was legally invalid because such transfers were not approved by the United States government, as required by the federal Non-Intercourse Act; and

WHEREAS, in 1975, the U.S. Court of Appeals for the First Circuit in Joint Tribal Council of the Passamaquoddy Tribe v. Morton affirmed that a trust relationship, similar to that between the United States and other tribes, exists between the Maine tribal nations and the United States that would require the approval by the Federal Government of such land transfers and that the claims of the tribal nations could proceed; and

WHEREAS, the other Maine tribal nations alleged similar claims; and

WHEREAS, recognizing that protracted litigation would result in substantial economic and social hardship for large numbers of landowners, citizens and communities within the State, the tribal nations decided it was more prudent to negotiate a settlement of the land claims and other claims rather than continue litigation; and

WHEREAS, the tribal nations and Executive Branch of the United States negotiated terms of settlement that were encompassed in the February 10, 1978 Memorandum of Understanding; and

WHEREAS, the tribal nations were asked by the Maine Congressional Delegation to negotiate terms related to jurisdictional matters as a part of an overall settlement; and

WHEREAS, negotiations between the tribal nations and the State led to the passage of An Act To Implement the Maine Indian Claims Settlement in April, 1980 by the Maine Legislature, but the Act was not effective until the United States Congress in October, 1980 enacted the Maine Indian Claims Settlement Act of 1980, Public Law 96-420; and

WHEREAS, An Act To Implement the Maine Indian Claims Settlement was passed into law in 1980 and the Micmac Settlement Act was passed into law in 1989; and

WHEREAS, the tribal nations and the State have engaged in significant litigation over many issues in the intervening years; and

WHEREAS, differing interpretations of the Acts have caused disagreements between the State and the tribal nations and have negatively affected the Wabanaki communities and hindered their ability to exercise tribal sovereignty for the benefit of their people; and

WHEREAS, the relationship between the tribal nations and the State would benefit from a reduction in litigation; and

WHEREAS, the tribal nations and the State desire that all of Maine's citizenry prospers, now, therefore, be it

ORDERED, the Senate concurring, that, notwithstanding Joint Rule 353, the Task Force on Changes to the Maine Indian Claims Settlement Implementing Act, referred to in this order as "the task force," is established as follows.

1. Appointments; composition. The task force consists of the following members:

- A. Two members of the Senate, appointed by the President of the Senate, including at least one member of the party holding the 2nd-largest number of seats in the Senate;
- B. Three members of the House of Representatives, appointed by the Speaker of the House of Representatives, including at least one member of the party holding the 2nd-largest number of seats in the House.

The President of the Senate and the Speaker of the House shall invite to participate as voting members of the task force the Chief of the Aroostook Band of Micmacs or the chief's designee; the Chief of the Houlton Band of Maliseet Indians or the chief's designee; the Chief of the Passamaquoddy Tribe at Indian Township or the chief's designee; the Chief of the Passamaquoddy Tribe at Pleasant Point or the chief's designee; and the Chief of the Penobscot Nation or the chief's designee;

The President of the Senate and the Speaker of the House also shall invite to participate as nonvoting ex officio members of the task force the Governor or the Governor's designee; the Attorney General or the Attorney General's designee; and the Managing Director of the Maine Indian-Tribal State Commission.

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

3. Appointments; convening. All appointments must be made no later than 15 days following passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When the appointment and invitation of all members has been completed, the chairs of the task force shall call and convene the first meeting of the task force. If 15 days or more after the passage of this order 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.

4. Duties. The task force shall review An Act To Implement the Maine Indian Claims Settlement and the Micmac Settlement Act and make recommendations to the Legislature for legislation regarding any suggested changes to those Acts. Recommendations of the task force must be made by consensus. For the purpose of this order, "consensus" means consensus between representatives on the task force of the tribe or tribes affected by the suggested changes and a majority of the other voting members of the task force.

5. Quorum. A quorum is a majority of the voting members of the task force, as long as the quorum consists of at least 3 representatives of the tribal nations and at least 3 members of the Legislature.

6. Staffing. The Legislative Council shall provide necessary staffing services to the task force, except that the Legislative Council staff support is not authorized when the Legislature is in regular or special session.

7. Reports. No later than December 4, 2019, the task force shall submit a report to the Joint Standing Committee on Judiciary that includes its findings and consensus-based recommendations, including suggested legislation, for introduction to the Second Regular Session of the 129th Legislature. In addition, the task force shall compile an official record of its activities, which must include reports, testimony and other materials submitted to the task force, as well as documentation of all recommendations considered by the task force regardless of whether such recommendations were adopted. The Joint Standing Committee on Judiciary shall report out legislation based on the consensus-based recommendations of the task force. Any law enacted by the Legislature pursuant to this order that affects An Act To Implement the Maine Indian Claims Settlement or the Micmac Settlement Act is also subject to approval by the affected tribe or tribes through their own governmental processes.

LD 40

**Commission to Study
Children's Mental Health**

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND NINETEEN

H.P. 41 - L.D. 40

Resolve, To Establish the Commission To Study Children's Mental Health

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

Whereas, this resolve establishes the Commission To Study Children's Mental Health to study the mental health of children in the State and federal and state laws, regulations, rules and policies governing the diagnosis and treatment of children with mental health issues; and

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

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

Sec. 1. Commission established. Resolved: That the Commission To Study Children's Mental Health, referred to in this resolve as "the commission," is established.

Sec. 2. Commission membership. Resolved: That, notwithstanding Joint Rule 353, the commission consists of 11 members appointed as follows:

1. Two members of the Senate appointed by the President of the Senate, including a member from each of the 2 parties holding the largest number of seats in the Legislature;
2. Two 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;
3. Two parents of children with mental health issues, one appointed by the President of the Senate and one appointed by the Speaker of the House;

4. Three representatives of providers of mental health services to children in the State, 2 appointed by the President of the Senate and one appointed by the Speaker of the House;

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

6. The Commissioner of Education or the commissioner's designee.

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.

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.

Sec. 5. Duties. Resolved: That the commission shall study the mental health of children in the State and federal and state laws, regulations, rules and policies governing the diagnosis and treatment of children with mental health issues in the State.

Sec. 6. Staff assistance. Resolved: That the Department of Health and Human Services shall provide necessary staffing services to the commission.

Sec. 7. Report. Resolved: That, no later than December 4, 2019, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 129th Legislature.

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

LD 592

**Background Check Consolidation
Commission**

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND NINETEEN

H.P. 436 - L.D. 592

Resolve, To Establish a Background Check Consolidation Commission

Sec. 1. Commission established. Resolved: That the Background Check Consolidation Commission, referred to in this resolve as "the commission," is established.

Sec. 2. Commission membership. Resolved: That the commission consists of 12 members appointed as follows:

1. Two 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;
2. Five members of the House of Representatives appointed by the Speaker of the House, including members from each of the 2 parties holding the largest number of seats in the Legislature;
3. The Commissioner of Education or the commissioner's designee;
4. The Commissioner of Inland Fisheries and Wildlife or the commissioner's designee;
5. The Commissioner of Public Safety or the commissioner's designee;
6. The Commissioner of Health and Human Services or the commissioner's designee;
and
7. The Commissioner of Administrative and Financial Services or the commissioner's designee.

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.

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.

Sec. 5. Duties. Resolved: That the commission shall study consolidating and centralizing as many state-required background checks required for employment as possible, including background checks for teachers, state workers and persons seeking Maine Guide licenses. Background checks to obtain firearms may not be addressed by the commission.

Sec. 6. Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the commission, except that Legislative Council staff support is not authorized when the Legislature is in regular or special session.

Sec. 7. Report. Resolved: That, no later than December 20, 2019, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 129th Legislature.

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND NINETEEN

S.P. 198 - L.D. 636

**Resolve, To Establish the Work Group To Study the Use of Body Cameras by
Law Enforcement Officers**

Sec. 1. Work Group To Study the Use of Body Cameras by Law Enforcement Officers established. Resolved: That the Work Group To Study the Use of Body Cameras by Law Enforcement Officers, referred to in this resolve as "the work group," is established.

Sec. 2. Work group membership. Resolved: That, notwithstanding Joint Rule 353, the work group consists of 9 members appointed as follows:

1. One member of the Senate appointed by the President of the Senate;
2. Two members of the House of Representatives appointed by the Speaker of the House;
3. The Attorney General or the Attorney General's designee; and
4. Five members appointed by the Attorney General. The 5 members appointed by the Attorney General must include 3 representatives of law enforcement agencies at the local, county and state levels; one representative of a statewide organization that works to further the interests of municipalities; and one representative of a statewide organization that works to ensure the privacy rights of citizens of the State.

Sec. 3. Chair. Resolved: That the Attorney General or the Attorney General's designee shall serve as chair of the work group.

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

Sec. 5. Notice of meetings. Resolved: That the Attorney General shall provide notice of the meetings of the work group to the general public and to the following organizations: the Maine Prosecutors Association, the Maine Association of Criminal Defense Lawyers, the Maine Chiefs of Police Association, the Maine Sheriffs' Association, the Maine State Police, the Maine Association of Police, the Maine Criminal Justice Academy, the American Civil Liberties Union of Maine, the Immigrant Resource Center of Maine, the Immigrant Legal Advocacy Project, the Maine Hospital Association, the Maine Coalition to End Domestic Violence, the National Association for the Advancement of Colored People, the National Alliance on Mental Illness - Maine, the Maine Municipal Association, the Maine Coalition Against Sexual Assault and the Maine Commission on Domestic and Sexual Abuse.

Sec. 6. Duties. Resolved: That the work group shall study the use of body cameras by law enforcement officers, review current practices in the State and outside of the State, review research on the use of body cameras and, before issuing its report pursuant to section 8, consider the following issues with regard to the use of body cameras by law enforcement officers on a voluntary basis and on a mandatory basis as required by law, rule or policy applicable to the law enforcement agency:

1. Cost and potential revenue sources;
2. Whether to mandate use and operation or adoption of a policy regarding use and operation;
3. Collective bargaining issues;
4. Ownership, use, storage and chain of custody issues;
5. Training for officers and supervisors;
6. Recording sensitive or private situations and circumstances;
7. Promoting accountability, privacy and transparency;
8. Providing access to individuals involved in the criminal justice system, the public and the court;
9. Meeting the needs of different communities and populations; and
10. Respect for victims of crime and their families and children.

Sec. 7. Staff assistance. Resolved: That, notwithstanding Joint Rule 353, the Legislative Council shall provide necessary staffing services to the work group, except that Legislative Council staff support is not authorized when the Legislature is in regular or special session.

Sec. 8. Report. Resolved: That, no later than March 1, 2020, the work group shall submit a report that includes its findings and any work group recommendations, including suggested legislation, to the Joint Standing Committee on Criminal Justice and Public Safety.

LD 636

**Work Group to Study the Use of Body
Cameras by Law Enforcement
Officers**

STATE OF MAINE

**IN THE YEAR OF OUR LORD
TWO THOUSAND NINETEEN**

S.P. 198 - L.D. 636

**Resolve, To Establish the Work Group To Study the Use of Body Cameras by
Law Enforcement Officers**

Sec. 1. Work Group To Study the Use of Body Cameras by Law Enforcement Officers established. Resolved: That the Work Group To Study the Use of Body Cameras by Law Enforcement Officers, referred to in this resolve as "the work group," is established.

Sec. 2. Work group membership. Resolved: That, notwithstanding Joint Rule 353, the work group consists of 9 members appointed as follows:

1. One member of the Senate appointed by the President of the Senate;
2. Two members of the House of Representatives appointed by the Speaker of the House;
3. The Attorney General or the Attorney General's designee; and
4. Five members appointed by the Attorney General. The 5 members appointed by the Attorney General must include 3 representatives of law enforcement agencies at the local, county and state levels; one representative of a statewide organization that works to further the interests of municipalities; and one representative of a statewide organization that works to ensure the privacy rights of citizens of the State.

Sec. 3. Chair. Resolved: That the Attorney General or the Attorney General's designee shall serve as chair of the work group.

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

Sec. 5. Notice of meetings. Resolved: That the Attorney General shall provide notice of the meetings of the work group to the general public and to the following organizations: the Maine Prosecutors Association, the Maine Association of Criminal Defense Lawyers, the Maine Chiefs of Police Association, the Maine Sheriffs' Association, the Maine State Police, the Maine Association of Police, the Maine Criminal Justice Academy, the American Civil Liberties Union of Maine, the Immigrant Resource Center of Maine, the Immigrant Legal Advocacy Project, the Maine Hospital Association, the Maine Coalition to End Domestic Violence, the National Association for the Advancement of Colored People, the National Alliance on Mental Illness - Maine, the Maine Municipal Association, the Maine Coalition Against Sexual Assault and the Maine Commission on Domestic and Sexual Abuse.

Sec. 6. Duties. Resolved: That the work group shall study the use of body cameras by law enforcement officers, review current practices in the State and outside of the State, review research on the use of body cameras and, before issuing its report pursuant to section 8, consider the following issues with regard to the use of body cameras by law enforcement officers on a voluntary basis and on a mandatory basis as required by law, rule or policy applicable to the law enforcement agency:

1. Cost and potential revenue sources;
2. Whether to mandate use and operation or adoption of a policy regarding use and operation;
3. Collective bargaining issues;
4. Ownership, use, storage and chain of custody issues;
5. Training for officers and supervisors;
6. Recording sensitive or private situations and circumstances;
7. Promoting accountability, privacy and transparency;
8. Providing access to individuals involved in the criminal justice system, the public and the court;
9. Meeting the needs of different communities and populations; and
10. Respect for victims of crime and their families and children.

Sec. 7. Staff assistance. Resolved: That, notwithstanding Joint Rule 353, the Legislative Council shall provide necessary staffing services to the work group, except that Legislative Council staff support is not authorized when the Legislature is in regular or special session.

Sec. 8. Report. Resolved: That, no later than March 1, 2020, the work group shall submit a report that includes its findings and any work group recommendations, including suggested legislation, to the Joint Standing Committee on Criminal Justice and Public Safety.

LD 829

**Commission to Improve the
Sentencing, Supervision, Management
and Incarceration of Prisoners**

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND NINETEEN

—
H.P. 603 - L.D. 829

**Resolve, To Reestablish the Commission To Improve the Sentencing,
Supervision, Management and Incarceration of Prisoners**

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 Improve the Sentencing, Supervision, Management and Incarceration of Prisoners; and

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

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

Sec. 1. Commission established. Resolved: That, notwithstanding Joint Rule 353, the Commission To Improve the Sentencing, Supervision, Management and Incarceration of Prisoners, referred to in this section as "the commission," is established.

1. Commission membership. The commission consists of 20 members as follows:

- A. Two members of the Senate appointed by the President of the Senate;
- B. Two members of the House of Representatives, at least one of whom is a sponsor or cosponsor of this legislation, appointed by the Speaker of the House of Representatives;
- C. The Attorney General or the Attorney General's designee;
- D. The Commissioner of Corrections or the commissioner's designee;
- E. The Commissioner of Health and Human Services or the commissioner's designee;

F. The Director of Adult Community Corrections within the Department of Corrections or the director's designee;

G. Nine individuals appointed by the Governor:

- (1) A representative of a statewide association of prosecutors nominated by the association;
- (2) A representative of a statewide association of county commissioners nominated by the association;
- (3) A representative of a statewide association of county sheriffs nominated by the association;
- (4) A representative of a statewide association of criminal defense lawyers nominated by the association;
- (5) A representative of a statewide organization representing people with mental illness and their families;
- (6) A member of the public;
- (7) A representative of a statewide organization working to end domestic violence;
- (8) A representative of a statewide organization working to end sexual assault; and
- (9) A member of a federally recognized tribe in the State; and

H. The commission shall invite the Chief Justice of the Supreme Judicial Court to serve or name a designee to serve as a voting member of the commission and to appoint 2 trial judges or their designees to serve as voting members of the commission.

2. Appointments; chair; meetings. All appointments must be made no later than 30 days following the effective date of this resolve. The Governor shall appoint a chair from among the membership of the commission, who shall call and convene the first meeting of the commission no later than 30 days after appointments of all members. The commission may hold up to 6 meetings, which, at the discretion of the chair, may include public hearings.

3. Duties. The duties of the commission are as follows.

A. The commission shall conduct research and prepare recommendations addressing the following goals:

- (1) Reducing the overall juvenile and adult prison population in both state and county facilities, with a focus on lowering the population of nonviolent prisoners;
- (2) Reducing the overall cost of the corrections system;
- (3) Accomplishing policy, program and structural improvements that reduce recidivism and improve the transition of prisoners back into the community;
- (4) Preserving community safety;

(5) Respecting the needs of victims and communities in the process of holding prisoners accountable for their actions; and

(6) Developing recommendations that address the factors leading to increasing juvenile and adult prisoner populations at both the county or regional jail and state prison levels, the impact of current sentencing laws, the use of alternate sentences and means to reduce recidivism, in particular recidivism caused by mental illness and substance use disorder.

B. To accomplish its purpose, the commission shall examine multiple strategies for addressing issues related to the continually and rapidly increasing prisoner populations at both the county or regional jail and state prison levels, including diversion from juvenile corrections, diversion from jail or prison, programming to improve reentry from jail or prison back to the community, community alternatives to incarceration and changes in sentencing laws, policies and practices. In conducting its examination, the commission shall:

(1) Study factors leading to increasing juvenile and adult prisoner populations in state and county correctional facilities; examine and analyze the prisoner population and projected growth at both the county or regional jail and state prison levels to include offenses, length of sentence and other issues, such as mental illness and substance use disorder, that lead to incarceration or reincarceration; and identify trends in the prisoner population and determine what impact these changes will have on future growth;

(2) Examine factors linking juvenile and adult prisoner populations;

(3) Review existing program and treatment levels for the prisoner population and recommend improvements based on projected need and effective programs supported by research; and

(4) Consult with and seek input from former prisoners as well as from organizations advocating for persons with mental illness.

4. Staff assistance. The Department of Corrections shall provide necessary staffing services to the commission.

5. Compensation. 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. 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.

6. Report. No later than December 4, 2019, the commission shall submit a report detailing its findings and recommendations, including any proposed legislation, to the Joint Standing Committee on Criminal Justice and Public Safety and to the Joint Standing Committee on Judiciary, each of which may report out legislation related to the report to the Second Regular Session of the 129th Legislature.

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

LD 852

**Task Force to Study the Coordination
of Services and Expansion of
Educational Programs for Young
Adults with Disabilities**

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND NINETEEN

H.P. 626 - L.D. 852

Resolve, To Establish the Task Force To Study the Coordination of Services and Expansion of Educational Programs for Young Adults with Disabilities

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 Task Force To Study the Coordination of Services and Expansion of Educational Programs for Young Adults with Disabilities; and

Whereas, the task force's study must be initiated before the 90-day period expires so that the task force may submit its report no later than January 15, 2020; 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 To Study the Coordination of Services and Expansion of Educational Programs for Young Adults with Disabilities, referred to in this resolve as "the task force," is established to develop recommendations to enhance the coordination of programs for young adults with disabilities and to recommend targeted reforms to ensure the most efficient and effective provision of services for young adults with disabilities.

Sec. 2. Membership. Resolved: That, notwithstanding Joint Rule 353, the task force consists of 14 members as follows:

1. One member who serves on the Joint Standing Committee on Labor and Housing appointed by the President of the Senate;
2. One member who serves on the Joint Standing Committee on Education and Cultural Affairs appointed by the Speaker of the House;
3. One member who serves on the Joint Standing Committee on Health and Human Services appointed by the Speaker of the House;

4. The Commissioner of Education or the commissioner's designee;
5. The Commissioner of Health and Human Services or the commissioner's designee;
6. The Commissioner of Labor or the commissioner's designee; and
7. Eight members appointed by the Commissioner of Education, in consultation with the Commissioner of Health and Human Services and the Commissioner of Labor, as follows:
 - A. One member who represents an advocacy organization for young adults with disabilities;
 - B. One member who represents a statewide organization of parents of young adults with disabilities;
 - C. One member who represents a statewide association for adult education;
 - D. One member who represents a statewide association for career and technical education;
 - E. One member who represents the University of Maine System;
 - F. One member who represents the Maine Community College System;
 - G. One member who represents a statewide association of administrators of services for children with disabilities; and
 - H. One member who represents community-based providers of services for young adults with disabilities.

Sec. 3. Chair; meetings. Resolved: That the Commissioner of Education shall appoint a chair of the task force and convene the initial meeting of the task force no later than 30 days following the effective date of this resolve. The task force shall hold a minimum of 4 meetings.

Sec. 4. Duties. Resolved: That the task force shall study the barriers to efficient and effective services for young adults with disabilities after high school and make recommendations on targeted reforms to improve the efficiency and effectiveness of these services, including but not limited to:

1. The coordination of services provided by different agencies; and
2. The benefits, assessments, expansion and availability of continuing educational opportunities for young adults with disabilities after high school.

Sec. 5. Staff assistance. Resolved: That the Department of Education shall provide the task force with staff assistance from existing resources.

Sec. 6. Outside funding. Resolved: That the task force may seek outside funding to support the work of the task force.

Sec. 7. Final report. Resolved: That, no later than January 15, 2020, the task force shall submit a report that includes its findings and recommendations for presentation to the Joint Standing Committee on Education and Cultural Affairs, the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Labor and Housing.

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

EDUCATION, DEPARTMENT OF

Leadership Team Z077

Initiative: Provides one-time funds for the costs associated with providing mileage reimbursement to task force members and for preparation of the final report.

GENERAL FUND	2019-20	2020-21
All Other	\$3,112	\$0
GENERAL FUND TOTAL	\$3,112	\$0

Task Force To Enhance Continuing Education Programs for Young Adults with Disabilities N309

Initiative: Provides a base allocation for funding received to support the work of the Task Force To Study the Coordination of Services and Expansion of Educational Programs for Young Adults with Disabilities.

OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
All Other	\$500	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$0

**EDUCATION, DEPARTMENT OF
DEPARTMENT TOTALS**

	2019-20	2020-21
GENERAL FUND	\$3,112	\$0
OTHER SPECIAL REVENUE FUNDS	\$500	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$3,612	\$0

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

LD 1001, Sec. BBBBB

**Commission to Study Long-term Care
Workforce Issues**

1 and career and technical education regions with the career and technical education
2 program components in subsection 1.

3 A. In each fiscal year of the transition period, the commissioner shall identify each
4 career and technical education center and career and technical education region for
5 which the sum of the components in subsection 1, paragraphs A to E is less than the
6 most recent expenditure data, as adjusted for inflation to the year prior to the
7 allocation year, or more than the most recent expenditure data, as adjusted for
8 inflation to the year prior to the allocation year.

9 B. In each fiscal year of the transition period, the commissioner shall calculate an
10 adjustment to the total allocation for each career and technical education center and
11 career and technical education region identified pursuant to paragraph A. The
12 calculation must be based on the amounts necessary to transition the career and
13 technical education center or career and technical education region to a total
14 allocation that is equal to the sum of the components in subsection 1, paragraphs A to
15 E by fiscal year 2023-24. In making this calculation, the commissioner shall ensure
16 that the annual adjustment calculated pursuant to this paragraph is reasonably similar
17 over the course of the transition period.

18 C. During each fiscal year of the transition period, the commissioner shall adjust the
19 total allocation for each career and technical education center and career and
20 technical education region identified pursuant to paragraph A in accordance with the
21 calculation under paragraph B.

22 **PART BBBBBB**

23 **Sec. BBBBBB-1. Commission To Study Long-term Care Workforce Issues.**

24 Notwithstanding Joint Rule 353, the Commission To Study Long-term Care Workforce
25 Issues, referred to in this section as "the commission," is established.

26 **1. Members.** The commission consists of up to 18 members as follows:

27 A. Two members of the Senate appointed by the President of the Senate, including a
28 member from each of the 2 parties holding the largest number of seats in the
29 Legislature;

30 B. Three members of the House of Representatives appointed by the Speaker of the
31 House, including a member from each of the 2 parties holding the largest number of
32 seats in the Legislature; and

33 C. Up to 13 members who possess expertise in the subject matter of the study as
34 follows:

35 (1) A direct care worker appointed by the President of the Senate;

36 (2) A provider of home-based long-term care who is a member of a statewide
37 association representing home-based long-term care providers appointed by the
38 President of the Senate;

39 (3) A representative of a statewide association representing nonprofit housing and
40 senior service programming appointed by the President of the Senate;

1 (4) A representative of an organization providing services to individuals with
2 intellectual disabilities and autism including employment services and long-term
3 home supports appointed by the President of the Senate;

4 (5) A provider of facility-based long-term care who is a member of a statewide
5 association representing facility-based long-term care providers appointed by the
6 Speaker of the House;

7 (6) A representative of an organization providing statewide homemaker services
8 through the state-funded independent support services program within the
9 Department of Health and Human Services appointed by the Speaker of the
10 House;

11 (7) A representative of an institution of higher education engaged in workforce
12 development appointed by the Speaker of the House;

13 (8) A representative of a service coordination agency providing service
14 coordination to people receiving home-based and community-based long-term
15 care appointed by the Speaker of the House;

16 (9) A representative of an organization promoting independent living for
17 individuals with disabilities appointed by the Speaker of the House;

18 (10) A representative of a business that acts as a labor intermediary helping
19 unemployed and underemployed people obtain employment appointed by the
20 Speaker of the House;

21 (11) The executive director of the long-term care ombudsman program described
22 under the Maine Revised Statutes, Title 22, section 5106, subsection 11-C;

23 (12) The Commissioner of Health and Human Services, or the commissioner's
24 designee, who may be invited to participate; and

25 (13) The Commissioner of Labor, or the commissioner's designee, who may be
26 invited to participate.

27 **2. Chairs and subcommittees.** The first-named Senate member is the Senate chair
28 and the first-named House of Representatives member is the House chair of the
29 commission. The chairs of the commission are authorized to establish subcommittees to
30 work on the duties listed in subsection 4 and to assist the commission. The
31 subcommittees must be composed of members of the commission and interested persons
32 who are not members of the commission and who volunteer to serve on the
33 subcommittees without reimbursement.

34 **3. Appointments.** All appointments must be made no later than 30 days following
35 the effective date of this Part. The appointing authorities shall notify the Executive
36 Director of the Legislative Council once all appointments have been completed. After
37 appointment of all members and after adjournment of the First Regular Session of the
38 129th Legislature, the chairs shall call and convene the first meeting of the commission.
39 If 30 days or more after the effective date of this Part a majority of but not all
40 appointments have been made, the chairs may request authority and the Legislative
41 Council may grant authority for the commission to meet and conduct its business.

4. **Directive of commission.** The commission shall study and make policy recommendations in each of the following areas:

- A. Measuring current demand for direct care workers and projecting future needs;
- B. Developing a campaign and statewide recruitment strategies to encourage more people to work in facility-based and home-based long-term care;
- C. Supporting career ladders throughout various long-term care settings;
- D. Identifying education needs and methods to fill education needs for direct care workers;
- E. Identifying barriers to hiring and methods to overcome barriers to hiring;
- F. Developing strategies to improve the quality of long-term care jobs; and
- G. Increasing opportunities for shared staffing among long-term care providers.

The commission shall make policy recommendations for public and private funding mechanisms to implement the commission's recommendations.

5. Program. The commission shall make recommendations for the establishment of a program that will contribute to long-term care direct care workers' postsecondary education in related fields.

6. Pilot program. The commission shall make recommendations for the establishment of a pilot program to pool part-time home care workers' hours for purposes of providing greater employment opportunity and obtaining employee benefits.

7. Staffing. The Legislative Council shall provide necessary staffing services to the commission, except that Legislative Council staff support is not authorized when the Legislature is in regular or special session.

8. Administration. The Commissioner of Health and Human Services, the State Auditor and the State Budget Officer shall provide necessary information and assistance to the commission as required for the commission's duties.

9. Report. No later than November 7, 2019, the commission shall submit a report that includes its findings and recommendations pursuant to subsections 4 to 6, including suggested legislation, to the Joint Standing Committee on Health and Human Services. The joint standing committee may report out a bill regarding the subject matter of the report to the Second Regular Session of the 129th Legislature.

PART CCCCC

Sec. CCCC-1. 25 MRSA §5101, as amended by PL 2017, c. 407, Pt. A, §104, is further amended to read:

§5101. Substance Use Disorder Assistance Program

1. Substance Use Disorder Assistance Program. The Substance Use Disorder Assistance Program, referred to in this chapter as "the program," is established to support persons with presumed substance use disorder by providing grants to municipalities and

LD 1229

**Committee to Study and Develop
Recommendations To Address
Guardianship Challenges That Delay
Patient Discharges from Hospitals**

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND NINETEEN

H.P. 890 - L.D. 1229

**Resolve, To Establish the Committee To Study and Develop
Recommendations To Address Guardianship Challenges That Delay Patient
Discharges from Hospitals**

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

Whereas, there exist multiple concerns surrounding the fact that many hospital patients are not discharged when they are clinically qualified for discharge from the hospital; and

Whereas, a study of how to address these concerns is necessary to develop recommendations to address guardianship, conservatorship and authorization of transaction challenges that result in extended hospitalization of patients clinically qualified for discharge from a hospital; 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 Study and Develop Recommendations To Address Guardianship Challenges That Delay Patient Discharges from Hospitals, referred to in this resolve as "the committee," is established.

Sec. 2. Committee membership. Resolved: That, notwithstanding Joint Rule 353, the committee consists of 14 members appointed or designated as follows:

1. Two members of the Senate, appointed by the President of the Senate, and 2 members of the House of Representatives, appointed by the Speaker of the House of Representatives, including members from each of the 2 parties holding the largest number

of seats in the Legislature, one member to be a sitting member of the Joint Standing Committee on Health and Human Services and one member to be a sitting member of the Joint Standing Committee on Judiciary;

2. One member representing the Department of Health and Human Services' adult protective services program administered pursuant to the Maine Revised Statutes, Title 22, section 5106, subsection 11-B, designated by the Commissioner of Health and Human Services;

3. Two members representing hospitals in the State, one representing a health system, appointed by the President of the Senate, and one representing an independent hospital, appointed by the Speaker of the House;

4. One member representing an association of hospitals in the State, appointed by the President of the Senate;

5. One member representing the long-term care ombudsman program maintained pursuant to the Maine Revised Statutes, Title 22, section 5106, subsection 11-C, appointed by the President of the Senate;

6. One member representing an association of nursing homes in the State, appointed by the Speaker of the House;

7. One member representing the Elderly Legal Services Program maintained pursuant to the Maine Revised Statutes, Title 22, section 5106, subsection 11-A, appointed by the President of the Senate;

8. One member representing the Office of the Attorney General, designated by the Attorney General;

9. One member who is an attorney who represents persons who are incapacitated, appointed by the Speaker of the House; and

10. The President of the Maine Probate Judges Assembly, or the president's designee.

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.

Sec. 4. Appointments; convening of committee. Resolved: That all appointments and designations 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.

Sec. 5. Duties. Resolved: That the committee shall study and develop recommendations to address guardianship, conservatorship and authorization of transaction challenges that result in extended hospitalization of patients clinically qualified for discharge from a hospital.

Sec. 6. Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the committee, except that the Legislative Council staff support is not authorized when the Legislature is in regular or special session.

Sec. 7. Report. Resolved: That, no later than December 4, 2019, the committee shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Judiciary. Each committee may report out legislation to the Second Regular Session of the 129th Legislature based on the report.

Sec. 8. Outside funding. Resolved: That the committee may seek funding contributions to help fund the costs of the study. All outside funding is subject to approval by the Legislative Council in accordance with its policies.

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

LD 1602

Working Group on Mental Health

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND NINETEEN

S.P. 508 - L.D. 1602

Resolve, Establishing the Working Group on Mental Health

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

Whereas, this resolve establishes the Working Group on Mental Health to review the State's mental health system and propose a mental health plan for the State; and

Whereas, community-based mental health services are the foundation for a healthy Maine, and the State is currently housing too many people with behavioral health needs in jails and emergency rooms; and

Whereas, the review 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. Working group established. Resolved: That the Working Group on Mental Health, referred to in this resolve as "the working group," is established to review the State's mental health system and propose a mental health plan for the State.

Sec. 2. Working group membership. Resolved: That, notwithstanding Joint Rule 353, the working group consists of 16 members as follows:

1. One member of the Senate appointed by the President of the Senate;
2. One member representing the National Alliance on Mental Illness Maine organization appointed by the President of the Senate;
3. One member representing the Consumer Council System of Maine appointed by the President of the Senate;

4. One member representing hospitals in the State appointed by the President of the Senate;
5. One member representing providers at federally qualified health centers appointed by the President of the Senate;
6. One member representing municipal law enforcement agencies appointed by the President of the Senate;
7. One member representing community mental health providers appointed by the President of the Senate;
8. One member of the House of Representatives appointed by the Speaker of the House;
9. Two members who are consumers of mental health services with different lived experiences appointed by the Speaker of the House;
10. One member representing Disability Rights Maine appointed by the Speaker of the House;
11. One member representing providers of homeless shelter services appointed by the Speaker of the House;
12. One member representing the Maine Sheriffs' Association appointed by the Speaker of the House;
13. One member representing providers of substance use disorder treatment appointed by the Speaker of the House;
14. The Commissioner of Health and Human Services or the commissioner's designee; and
15. The Commissioner of Corrections or the commissioner's designee.

The chairs of the working group shall invite the participation on the working group of a representative of the Judicial Department.

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 working group.

Sec. 4. Appointments; convening of working group. 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 working group. 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 working group to meet and conduct its business.

Sec. 5. Duties. Resolved: That the working group shall review the State's mental health system and propose a mental health plan for the State. As part of its review, the working group shall examine:

1. Information on total state and federal dollars spent on children's and adult behavioral health care as coded by Medicaid and where those dollars are currently spent;
2. Access to mental health care in the State, including issues associated with waiting lists, geographic barriers to access and lack of adequate reimbursement to community-based programs that prevents those programs from reaching optimum capacity;
3. The quality of outcomes;
4. The costs required to provide mental health services in emergency rooms, inpatient settings, homeless shelters, jails and prisons as compared with the costs required to provide mental health services such as medication management, daily living support, peer support and other therapies provided in community-based settings;
5. An assessment of assets and deficits; and
6. The projected effect of MaineCare expansion on the provision of mental health services.

Based on the information collected pursuant to this section, the working group shall propose a mental health plan for the State.

Sec. 6. Staff assistance. Resolved: That the Department of Health and Human Services shall provide necessary staffing services to the working group.

Sec. 7. Report. Resolved: That, no later than December 4, 2019, the working group shall submit a report that includes its proposed mental health plan for the State under section 5, including suggested legislation, for presentation to the Joint Standing Committee on Health and Human Services, the Joint Standing Committee on Criminal Justice and Public Safety, the Joint Standing Committee on Judiciary and the Joint Standing Committee on Appropriations and Financial Affairs.

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

LD 1614

**Commission to Study the Economic,
Environmental and Energy Benefits of
Energy Storage to the Maine
Electricity Industry**



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1614

H.P. 1166

House of Representatives, April 23, 2019

**Resolve, Establishing the Commission To Study the Economic,
Environmental and Energy Benefits of Energy Storage to the Maine
Electricity Industry**

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Energy, Utilities and Technology suggested and ordered printed.

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative RILEY of Jay.
Cosponsored by Senator WOODSOME of York and
Representatives: BERRY of Bowdoinham, CAIAZZO of Scarborough, DOUDERA of
Camden, GROHOSKI of Ellsworth.

1 **Sec. 1. Commission To Study the Economic, Environmental and Energy**
2 **Benefits of Energy Storage to the Maine Electricity Industry established.**
3 **Resolved:** That the Commission To Study the Economic, Environmental and Energy
4 Benefits of Energy Storage to the Maine Electricity Industry, referred to in this resolve as
5 "the commission," is established.

6 **Sec. 2. Membership. Resolved:** That, notwithstanding Joint Rule 353, the
7 commission consists of 13 members appointed as follows:

8 1. Two members of the Senate appointed by the President of the Senate, including a
9 member from each of the 2 parties holding the largest number of seats in the Legislature;

10 2. Three members of the House of Representatives appointed by the Speaker of the
11 House, including members from each of the 2 parties holding the largest number of seats
12 in the Legislature;

13 3. Four public members appointed by the President of the Senate as follows:

14 A. A representative of the energy storage industry;

15 B. A representative of the hydroelectric energy storage industry;

16 C. A representative of an electric utility in the State; and

17 D. An academic in the field of energy storage; and

18 4. Four public members appointed by the Speaker of the House as follows:

19 A. A representative of a conservation organization;

20 B. A representative of a business that uses significant electric power in the State;

21 C. A representative of a large-scale battery storage owner; and

22 D. A representative of a small-scale battery storage owner.

23 **Sec. 3. Commission chairs. Resolved:** That the first-named Senator is the
24 Senate chair of the commission and the first-named member of the House is the House
25 chair of the commission.

26 **Sec. 4. Appointments; convening of commission. Resolved:** That all
27 appointments must be made no later than 30 days following the effective date of this
28 resolve. The appointing authorities shall notify the Executive Director of the Legislative
29 Council once all appointments have been made. When the appointment of all members
30 has been completed, the chairs of the commission shall call and convene the first meeting
31 of the commission. If 30 days or more after the effective date of this resolve a majority
32 of but not all appointments have been made, the chairs may request authority and the
33 Legislative Council may grant authority for the commission to meet and conduct its
34 business.

35 **Sec. 5. Duties. Resolved:** That the commission shall hold at least 4 meetings and
36 shall:

1 1. Review and evaluate the economic, environmental and energy benefits of energy
2 storage to the State's electricity industry, as well as public policy and economic proposals
3 to create and maintain a sustainable future for energy storage in the State;

4 2. Consider the challenges of the broad electricity market in the State, including
5 challenges with transmission and stranded renewable energy generation in the northern
6 part of the State, and analyze whether energy storage is part of the transmission solution;

7 3. Consider whether the environmental, economic, resiliency and energy benefits of
8 energy storage support updating the State's energy policy to strengthen and increase the
9 role of energy storage throughout the State;

10 4. Consider the economic benefits of energy storage systems procurement targets,
11 including benefits of cost savings to ratepayers from the provision of services, including
12 energy price arbitrage, capacity, ancillary services and transmission and distribution asset
13 deferral or substitution; direct cost savings to ratepayers that deploy energy storage
14 systems; an improved ability to integrate renewable resources; improved reliability and
15 power quality; the effect on retail electric rates over the life of a given energy storage
16 system compared to the effect on retail electric rates using a nonenergy storage system
17 alternative over the life of the nonenergy storage system alternative; reduced greenhouse
18 gas emissions; and any other value reasonably related to the application of energy storage
19 system technology and compare those economic benefits to the effects of leaving current
20 policies in place; and

21 5. Examine any other issues to further the purposes of the study.

22 In conducting the duties under this section, the commission shall seek public input
23 and shall consult and collaborate with stakeholders and experts in the fields of economic
24 development, natural resources and energy policy.

25 **Sec. 6. Staff assistance. Resolved:** That, notwithstanding Joint Rule 353, the
26 Legislative Council shall provide necessary staffing services to the commission, except
27 that Legislative Council staff support is not authorized when the Legislature is in regular
28 or special session. The commission may invite the Department of Economic and
29 Community Development, the Public Utilities Commission, the Office of the Public
30 Advocate, the Governor's Energy Office and the Efficiency Maine Trust and other
31 appropriate agencies of State Government to provide additional staff support or assistance
32 to the commission.

33 **Sec. 7. Report. Resolved:** That, no later than December 4, 2019, the commission
34 shall submit a report that includes its findings and recommendations, including suggested
35 legislation, to the Second Regular Session of the 129th Legislature. The suggested
36 legislation must include, but is not limited to, adopting procurement targets for the State
37 for energy storage systems, both behind a customer meter and connected to transmission
38 and distribution facilities, if proven beneficial for ratepayers in the cost-benefit analysis
39 under section 5.

1

SUMMARY

2

3

This resolve establishes the Commission To Study the Economic, Environmental and Energy Benefits of Energy Storage to the Maine Electricity Industry.

Date:

(Filing No. H-)

ENERGY, UTILITIES AND TECHNOLOGY

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT " " to H.P. 1166, L.D. 1614, "Resolve, Establishing the Commission To Study the Economic, Environmental and Energy Benefits of Energy Storage to the Maine Electricity Industry"

Amend the resolve in section 2 in the 2nd line (page 1, line 7 in L.D.) by striking out the following: "13" and inserting the following: '14'

Amend the resolve in section 2 by striking out all of subsections 3 and 4 (page 1, lines 13 to 22 in L.D.) and inserting the following:

'3. Four public members, one of whom must be from the northern part of the State, appointed by the President of the Senate as follows:

- A. A representative of the energy storage industry;
- B. A representative of the hydroelectric energy storage industry;
- C. A representative of an electric utility in the State; and
- D. An academic in the field of energy storage;

4. Four public members appointed by the Speaker of the House as follows:

- A. A representative of a conservation organization;
- B. A representative of a business that uses significant electric power in the State;
- C. A representative of a large-scale energy storage owner; and
- D. A representative of a small-scale energy storage owner; and

5. The Public Advocate or the Public Advocate's designee.'

Amend the resolve in section 5 in subsection 4 in the last line (page 2, line 20 in L.D.) by striking out the following: "and"

Amend the resolve in section 5 by inserting after subsection 4 the following:

'5. Review economically efficient and effective implementation approaches to energy storage targets;

6. Consider bring-your-own-device programs that offer credits for sharing stored energy with electric utilities and storm outage and response management programs for behind-the-meter energy storage to reduce peak reduction and increase resiliency; and'

Amend the resolve in section 5 by renumbering the subsections to read consecutively.

Amend the resolve by striking out all of sections 6 and 7 and inserting the following:

'Sec. 6. Staff assistance. Resolved: That, notwithstanding Joint Rule 353, the Legislative Council shall provide necessary staffing services to the commission, except that Legislative Council staff support is not authorized when the Legislature is in regular or special session.

Sec. 7. Report. Resolved: That, no later than December 4, 2019, the commission shall submit a report to the Joint Standing Committee on Energy, Utilities and Technology that includes its findings and recommendations, including suggested legislation. The report may consider a review of economically efficient and effective implementation approaches for energy storage targets. The suggested legislation must include, but is not limited to, adopting procurement targets for the State for energy storage systems, both behind a customer meter and connected to transmission and distribution facilities, if proven beneficial for ratepayers in the cost-benefit analysis under section 5.'

Amend the resolve by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment makes the following changes to the resolve:

1. It increases the membership of the Commission To Study the Economic, Environmental and Energy Benefits of Energy Storage to the Maine Electricity Industry from 13 to 14, adding the Public Advocate or the Public Advocate's designee as a member, and requires one of the public members appointed by the President of the Senate to be from the northern part of the State;

2. It removes the limitation that the members representing energy storage owners specifically represent battery storage owners;

3. It amends the duties of the commission to include a review of economically efficient and effective implementation approaches to energy storage targets and consideration of bring-your-own-device programs and storm outage and response management programs for behind-the-meter energy storage to reduce peak reduction and increase resiliency;

4. It removes certain language regarding invited staff support from state agencies;
and

5. It directs the commission to submit its report to the Joint Standing Committee on Energy, Utilities and Technology.

FISCAL NOTE REQUIRED

(See attached)

LD 1342

**Maine Workforce, Research,
Development and Student
Achievement Institute Steering
Committee**

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND NINETEEN

H.P. 970 - L.D. 1342

An Act To Establish the Maine Workforce, Research, Development and
Student Achievement Institute

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

Sec. 1. 5 MRSA §12004-I, sub-§6-I is enacted to read:

6-I.

Economic
Development

Maine Workforce,
Research,
Development and
Student
Achievement
Institute

Not Authorized

5 MRSA §13120-T

Sec. 2. 5 MRSA c. 383, sub-c. 10 is enacted to read:

SUBCHAPTER 10

MAINE WORKFORCE, RESEARCH, DEVELOPMENT AND STUDENT
ACHIEVEMENT INSTITUTE

§13120-T. Maine Workforce, Research, Development and Student Achievement
Institute

1. Institute established. The Maine Workforce, Research, Development and Student Achievement Institute, as established in Title 5, section 12004-I, subsection 6-I and referred to in this subchapter as "the institute," is established to collect and analyze information related to workforce training, research and development, student debt and economic advancement in the State, to make policy recommendations to the Legislature and to conduct targeted research for the Legislature.

2. Legislature to contract with university. The Legislature, through the joint standing committee of the Legislature having jurisdiction over innovation, development, economic advancement and business matters, shall contract with the University of Maine System to establish and maintain the institute. Personnel coordinating the work of the institute must be appointed by the University of Maine System in consultation with the joint standing committee of the Legislature having jurisdiction over innovation, development, economic advancement and business matters, and those personnel shall consult with and act on behalf of the Legislature, performing such data collection, analysis and research as the Legislature may require.

3. Steering committee. The Maine Workforce, Research, Development and Student Achievement Institute Steering Committee, referred to in this section as "the steering committee," is established to advise the Legislature and the University of Maine System on all matters related to the institute. With the exception of ex officio members, steering committee members must be appointed by the joint standing committee of the Legislature having jurisdiction over innovation, development, economic advancement and business matters for a term of 2 years. The steering committee shall meet at least 4 times each year and must include the following:

A. One member from each of the following:

- (1) The joint standing committee of the Legislature having jurisdiction over innovation, development, economic advancement and business matters;
- (2) The University of Maine System;
- (3) The Maine Municipal Association;
- (4) The Department of Economic and Community Development;
- (5) The State Workforce Board, established under Title 26, section 2006;
- (6) The Department of Labor;
- (7) A statewide organization representing business interests in the State;
- (8) A state-based organization involved in workforce and business policy and development;
- (9) An independent college in the State;
- (10) The Maine Community College System;
- (11) A regional economic development organization serving one or more of the following: Aroostook County, Franklin County, Oxford County, Piscataquis County, Somerset County and Washington County; and
- (12) A statewide organization responsible for business attraction and expansion;

B. The State Economist, who serves ex officio;

C. The Chief Executive Officer of the Finance Authority of Maine or the chief executive officer's designee, who serves ex officio;

D. An individual involved in adult education;

E. An individual involved in career and technical education;

F. An individual employed in the public sector; and

G. An individual employed in the private sector.

The steering committee shall elect a chair from among its members to serve a term of 2 years.

4. Location and access. The analysis, recommendations and research results gathered pursuant to this subchapter must be maintained by the institute at the University of Maine System and must be available for use by any interested group or individual.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

LEGISLATURE

Legislature 0081

Initiative: Appropriates funds for the costs of the Legislature to contract on an ongoing basis with the University of Maine System to establish and maintain the Maine Workforce, Research, Development and Student Achievement Institute.

GENERAL FUND	2019-20	2020-21
Personal Services	\$110	\$110
All Other	\$250,280	\$250,280
GENERAL FUND TOTAL	\$250,390	\$250,390

LD 1679

Maine Climate Council

Scientific and Technical Subcommittee

**Maine Climate Council Working
Groups**

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND NINETEEN

S.P. 550 - L.D. 1679

An Act To Promote Clean Energy Jobs and To Establish the Maine Climate Council

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

Whereas, the Maine Climate Council, its Scientific and Technical Subcommittee and its working groups, which are established in this legislation and which are directed in this legislation to address a number of critical and pressing issues relating to the effects of climate change on the State, its communities and its environment and natural resources, must commence work on those issues as soon as is possible; and

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

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

Sec. 1. 5 MRSA §12004-I, sub-§24-G is enacted to read:

24-G.

<u>Environment:</u>	<u>Maine Climate</u>	<u>Legislative Per Diem</u>	<u>38 MRSA §577-A</u>
<u>Natural Resources</u>	<u>Council, Scientific</u>	<u>and Expenses for</u>	
	<u>and Technical</u>	<u>Legislators/Expenses</u>	
	<u>Subcommittee and</u>	<u>Only for Certain</u>	
	<u>Working Groups</u>	<u>Members</u>	

Sec. 2. 35-A MRSA §3210-C, sub-§3, as amended by PL 2017, c. 134, §2, is further amended to read:

3. Commission authority. The commission may direct investor-owned transmission and distribution utilities to enter into long-term contracts for:

A. Capacity resources;

B. Any available energy associated with capacity resources contracted under paragraph A:

(1) To the extent necessary to fulfill the policy of subsection 2, paragraph A; or

(2) If the commission determines appropriate for purposes of supplying or lowering the cost of standard-offer service or otherwise lowering the cost of electricity for the ratepayers in the State. Available energy contracted pursuant to this subparagraph may be sold into the wholesale electricity market in conjunction with solicitations for standard-offer supply bids;

C. Any available renewable energy credits associated with capacity resources contracted under paragraph A. The price paid by the investor-owned transmission and distribution utility for the renewable energy credits must be lower than the price received for those renewable energy credits at the time they are sold by the investor-owned transmission and distribution utility; and

D. Transmission capacity, capacity resources, energy or renewable energy credits pursuant to a regional procurement process in conjunction with other states.

The commission may permit, but may not require, investor-owned transmission and distribution utilities to enter into contracts for differences that are designed and intended to buffer ratepayers in the State from potential negative impacts from transmission development. To the greatest extent possible, the commission shall develop procedures for long-term contracts for investor-owned transmission and distribution utilities under this subsection having the same legal and financial effect as the procedures used for standard-offer service pursuant to section 3212 for investor-owned transmission and distribution utilities.

The commission may enter into contracts for interruptible, demand response or energy efficiency capacity resources. These contracts are not subject to the rules of the State Purchasing Agent. In a competitive solicitation conducted pursuant to subsection 6, the commission shall allow transmission and distribution utilities to submit bids for interruptible or demand response capacity resources.

Capacity resources contracted under this subsection may not exceed the amount necessary to ensure the reliability of the electric grid of this State, to meet the energy efficiency program budget allocations articulated in the triennial plan as approved by the commission pursuant to section 10104, subsection 4 or any annual update plan approved by the commission pursuant to section 10104, subsection 6 or to lower customer costs as determined by the commission pursuant to rules adopted under subsection 10.

Unless the commission determines the public interest requires otherwise, a capacity resource may not be contracted under this subsection unless the commission determines that the capacity resource is recognized as a capacity resource for purposes of any regional or federal capacity requirements.

The commission shall ensure that any long-term contract authorized under this subsection is consistent with the State's goals for greenhouse gas reduction under Title 38, section 576 ~~576-A~~ and the regional greenhouse gas initiative as described in the state climate action plan required in Title 38, section 577.

By January 1st of each year, the commission shall submit a report to the joint standing committee of the Legislature having jurisdiction over energy and utilities matters on the procurement of transmission capacity, capacity resources, energy and renewable energy credits in the preceding 12 months under this subsection, the Community-based Renewable Energy Act and deep-water offshore wind energy pilot projects under Public Law 2009, chapter 615, Part A, section 6, as amended by Public Law 2013, chapter 369, Part H, sections 1 and 2 and chapter 378, sections 4 to 6. The report must contain information including, but not limited to, the number of requests for proposals by the commission for long-term contracts, the number of responses to requests for proposals pursuant to which a contract has been finalized, the number of executed term sheets or contracts resulting from the requests for proposals, the commission's initial estimates of ratepayer costs or savings associated with any approved term sheet, actual ratepayer costs or savings for the previous year associated with any procurement, the total ratepayer costs or savings at the time of the report and the megawatt-hours, renewable energy credits or capacity produced or procured through contracts. The report must also include a plan for the succeeding 12 months pertaining to the procurement of capacity resources, energy and renewable energy credits, including dates for requests for proposals, and types of resources to be procured.

Sec. 3. 35-A MRSA §3402, sub-§1, ¶A, as amended by PL 2009, c. 615, Pt. A, §2, is further amended to read:

A. Wind energy is an economically feasible, large-scale energy resource that does not rely on fossil fuel combustion or nuclear fission, thereby displacing electrical energy provided by these other sources and avoiding air pollution, waste disposal problems and hazards to human health from emissions, waste and by-products; consequently, wind energy development may address energy needs while making a significant contribution to achievement of the State's renewable energy and greenhouse gas reduction objectives, including those in Title 38, section ~~576~~ 576-A;

Sec. 4. 35-A MRSA §10104, sub-§4, ¶F, as repealed and replaced by PL 2013, c. 369, Pt. A, §13, is amended to read:

F. It is an objective of the triennial plan to design, coordinate and integrate sustained energy efficiency and weatherization programs that are available to all energy consumers in the State and to users of all fuel types. The plan must set forth the costs and benefits of energy efficiency programs that advance the following goals, and funding necessary to meet those goals:

- (1) Reducing energy costs, including residential heating costs;
- (2) Weatherizing substantially all homes whose owners or occupants are willing to participate in and share the costs of cost-effective home weatherization to a minimum standard of weatherization, as defined by the trust, by 2030;
- (3) Reducing peak-load demand for electricity through trust programs by 300 megawatts by 2020;
- (4) By 2020, achieving electricity and natural gas program savings of at least 20% and heating fuel savings of at least 20%, as defined in and determined

pursuant to the measures of performance approved by the commission under section 10120;

(5) Creating stable private sector jobs providing alternative energy and energy efficiency products and services in the State by 2020; and

(6) Reducing greenhouse gas emissions from the heating and cooling of buildings in the State by amounts consistent with ~~the State's goals established in~~ Title 38, section ~~576~~ 576-A.

The trust shall preserve when possible and appropriate the opportunity for carbon emission reductions to be monetized and sold into a voluntary carbon market. Any program of the trust that supports weatherization of buildings must be voluntary and may not constitute a mandate that would prevent the sale of emission reductions generated through weatherization measures into a voluntary carbon market.

Except when specifically provided in the individual goals under this paragraph, the trust may consider expected savings from market effects not attributable to the trust as well as efforts by other organizations, including but not limited to federally funded low-income weatherization programs.

As used in this paragraph, "heating fuel" means liquefied petroleum gas, kerosene or #2 heating oil, but does not include fuels when used for industrial or manufacturing processes.

Sec. 5. 38 MRSA §574, sub-§§1-A to 1-C are enacted to read:

1-A. Climate action plan. "Climate action plan" means the state plan adopted under section 577.

1-B. Gross annual greenhouse gas emissions. "Gross annual greenhouse gas emissions" means the total amount of greenhouse gases emitted by all sources within the State each year.

1-C. Net annual greenhouse gas emissions. "Net annual greenhouse gas emissions" means gross annual greenhouse gas emissions less the total amount of greenhouse gases absorbed each year by plants and natural ecosystems, including, but not limited to, trees, crops, soil and wetlands within the State.

Sec. 6. 38 MRSA §576, as enacted by PL 2003, c. 237, §1, is repealed.

Sec. 7. 38 MRSA §576-A is enacted to read:

§576-A. Greenhouse gas emissions reductions

1. 2030 annual emissions level. By January 1, 2030, the State shall reduce gross annual greenhouse gas emissions to at least 45% below the 1990 gross annual greenhouse gas emissions level.

2. Interim emissions level. By January 1, 2040, the gross annual greenhouse gas emissions level must, at a minimum, be on an annual trajectory sufficient to achieve the 2050 annual emissions level in accordance with subsection 3.

3. 2050 annual emissions level. By January 1, 2050, the State shall reduce gross annual greenhouse gas emissions to at least 80% below the 1990 gross annual greenhouse gas emissions level.

4. Monitoring, reporting and compliance rules. By July 1, 2021, the department shall adopt rules to track and report to the Legislature on gross annual greenhouse gas emissions and net annual greenhouse gas emissions.

Notwithstanding any provision of section 341-H to the contrary, by September 1, 2021, the board shall adopt rules to ensure compliance with the levels established by subsections 1 to 3 which:

A. Must be consistent with the climate action plan, as updated pursuant to section 577, subsection 1;

B. Must prioritize greenhouse gas emissions reductions by sectors that are the most significant sources of greenhouse gas emissions, as identified by the United States Energy Information Administration and in the department's biennial reports submitted under section 578, taking into account gross greenhouse gas emissions reductions achieved by each sector since 1990 measured as a percentage of statewide gross greenhouse gas emissions and taking into account the cost-effectiveness of future gross greenhouse gas emissions reductions by each sector;

C. Must be fair and equitable and account for and give significant weight to greenhouse gas emissions reductions already achieved by various sectors; and

D. May establish a mechanism for crediting voluntary measures that quantifiably and reliably sequester additional carbon in forests, farms and coastal lands in the State or by the use of materials that sequester additional carbon.

The Department of Transportation, after consultation with the department, may adopt rules as necessary to ensure compliance with the levels established by subsections 1 to 3.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 8. 38 MRSA §577, as enacted by PL 2003, c. 237, §1, is amended to read:

§577. Climate action plan; update

By July 1, 2004, the department, with input from stakeholders, shall adopt a state climate action plan to meet the reduction goals ~~specified in section 576 for greenhouse gas emissions~~. The action plan must address reduction in each sector in cost-effective ways and must allow sustainably managed forestry, agricultural and other natural resource activities to be used to sequester greenhouse gas emissions. The department shall submit the action plan to the joint standing committee of the Legislature having jurisdiction over natural resources matters.

1. Update plan. By December 1, 2020, and every 4 years thereafter, the Maine Climate Council, as established in section 577-A and referred to in this section as "the council," with input from stakeholders, shall update the state climate action plan under

this section and shall include in the plan strategies to meet the greenhouse gas emissions reduction levels specified in section 576-A.

2. Mitigation strategies. In updating the climate action plan under subsection 1, the council shall evaluate mitigation strategies to reduce gross annual greenhouse gas emissions and net annual greenhouse gas emissions consistent with the reduction levels in section 576-A. The council shall quantitatively analyze and report on the technical feasibility and cost-effectiveness of each mitigation strategy. The updated climate action plan must include climate change mitigation strategies to reduce greenhouse gas emissions in the State and, as applicable, must include updates to the mitigation strategies included in the plan and identification of new strategies through the application of the latest scientific and technological information available related to climate change.

3. Adaptation and resilience strategies. The updated climate action plan under subsection 1 must address the impacts of climate change upon the State and provide strategies and actions for climate adaptation and resiliency. These strategies must include implementation guidelines that:

- A. Prioritize the welfare of the State's citizens and visitors and recognize and foster the value of the State's natural resources and natural resource-based industries;
- B. Encourage diversity, inclusion and equity;
- C. Provide education and training opportunities when appropriate;
- D. Build upon existing global, national and state plans and partnerships for addressing climate adaptation, emergency preparedness and disaster risk reduction;
- E. Encourage investments that prevent and proactively mitigate risk;
- F. Encourage, foster and utilize the most recent scientific and technical information available; and
- G. Incorporate means for measuring progress.

4. Clean energy economy transition plan. The updated climate action plan under subsection 1 must include a clean energy economy transition plan that, as applicable, incorporates feedback from the Maine Climate Council working groups established under section 577-A, subsection 7 and which may incorporate feedback from other entities with expertise in education, training, apprenticeships, workforce and labor. The clean energy economy transition plan under this subsection must:

- A. Include opportunities for and address barriers to advancing the State's clean energy economy;
- B. Highlight strategies for the State's rural communities, workers and businesses as the State transitions to a low-carbon future that are designed to encourage good-paying jobs and long-term employment; and
- C. Identify policy recommendations; opportunities for public-private partnerships; workforce development and educational opportunities, including opportunities for training and retraining workers and the development of apprenticeship programs; and

other strategies necessary to the creation of clean energy jobs and a robust clean energy economy in the State.

5. Effects of climate change. The updated climate action plan under subsection 1 must provide the latest information on climate change effects in the State and on the sectors, ecosystems and communities most at risk from such effects.

6. Submission of plan. By December 1, 2020, and every 4 years thereafter, the council shall submit the updated climate action plan under subsection 1 and any recommended legislation to the joint standing committee of the Legislature having jurisdiction over natural resources matters. Upon receipt and review of the plan, the joint standing committee may report out a bill to the Legislature related to the plan or the council's recommendations.

7. Objectives. In identifying the mitigation strategies and adaptation and resilience strategies to include in the updated climate action plan under subsections 2 and 3 and in developing the clean energy economy transition plan under subsection 4, the council shall give consideration to the following objectives:

A. Pursuing cost-effective, technologically feasible and equitable greenhouse gas emissions reduction pathways and adaptation and preparedness strategies, informed by scientific and technical expertise;

B. Pursuing actions that minimize deleterious effects, including those on persons of low income and moderate income, to public health and the environment and that support economic sectors that face the biggest barriers to emissions reductions and creating, when feasible, additional employment and economic growth in the State, especially in rural and economically distressed regions of the State;

C. Ensuring equity for all sectors and regions of the State and that the broadest group of residents benefit from the achievement of the greenhouse gas emissions reduction levels in section 576-A, with consideration of economic, quality-of-life and public health benefits;

D. Encouraging the use of natural solutions to reduce net annual greenhouse gas emissions and increase resiliency, such as solutions related to forests, farms and coastal lands in the State and materials that sequester carbon;

E. Maximizing involvement in interstate and regional initiatives and programs designed to reduce regional greenhouse gas emissions;

F. Supporting industries, technology and training that will allow workers and companies in the State to benefit from carbon reduction solutions through jobs and economic activity; and

G. Planning for adaptation and resilience strategies that will prepare the State's communities, infrastructure and industries for current and anticipated effects of climate change.

8. Use of existing data. In updating the climate action plan under subsection 1, the council shall draw upon existing state data and studies, including, but not limited to, analyses and data from the 2004 climate action plan and the 2010 adaptation plan

developed by the department, the evaluations of the State's progress toward meeting greenhouse gas emissions levels under section 578, the comprehensive state energy plan pursuant to Title 2, section 9, subsection 3, paragraph C and the Efficiency Maine Trust's triennial plan pursuant to Title 35-A, section 10104, subsection 4.

9. Funding. The costs to the council of updating the climate action plan pursuant to this section, including, but not limited to, the costs associated with the evaluation of mitigation strategies to reduce gross annual greenhouse gas emissions and net annual greenhouse gas emissions under subsection 2, may be funded using funds solicited and accepted by the council pursuant to section 577-A, subsection 9.

Sec. 9. 38 MRSA §577-A is enacted to read:

§577-A. Maine Climate Council

The Maine Climate Council, referred to in this section as "the council," is created to advise the Governor and Legislature on ways to mitigate the causes of, prepare for and adapt to the consequences of climate change.

1. Membership. The council's membership consists of the following 39 members:

A. Two members of the Senate, appointed by the President of the Senate, including one member of each of the 2 parties holding the most seats in the Senate;

B. Two members of the House of Representatives, appointed by the Speaker of the House, including one member of each of the 2 parties holding the most seats in the House of Representatives;

C. The Director of the Governor's Office of Policy and Management, or the director's designee;

D. The Commissioner of Administrative and Financial Services, or the commissioner's designee;

E. The Commissioner of Agriculture, Conservation and Forestry, or the commissioner's designee;

F. The Commissioner of Economic and Community Development, or the commissioner's designee;

G. The Commissioner of Environmental Protection, or the commissioner's designee;

H. The Commissioner of Inland Fisheries and Wildlife, or the commissioner's designee;

I. The Commissioner of Labor, or the commissioner's designee;

J. The Commissioner of Marine Resources, or the commissioner's designee;

K. The Commissioner of Transportation, or the commissioner's designee;

L. The Commissioner of Defense, Veterans and Emergency Management, or the commissioner's designee;

M. The Commissioner of Education, or the commissioner's designee;

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

O. The Director of the Governor's Energy Office, or the director's designee;

P. The director of the Efficiency Maine Trust, or the director's designee;

Q. The director of the Maine State Housing Authority, or the director's designee; and

R. The following 20 additional members appointed by the Governor representing state interests affected by climate change or with expertise in climate change issues:

- (1) One member to represent marine fisheries;
- (2) One member to represent agriculture;
- (3) One member to represent municipal governments;
- (4) One member to represent the forestry industry;
- (5) One member to represent the State's energy sector;
- (6) One member to represent the State's Indian tribes;
- (7) One member to represent building or construction trades;
- (8) One member to represent the manufacturing industry;
- (9) One member to represent organized labor;
- (10) Two members to represent business, including one member to represent small business;
- (11) Two members to represent environmental nonprofit organizations or private foundations focused on environmental issues;
- (12) Two members with expertise in climate change science, including a representative of the University of Maine System;
- (13) Two members with expertise in climate change resilience and adaptation, emergency management or disaster risk reduction;
- (14) One member to represent the State's youth; and
- (15) Two other government or public members.

2. Terms; compensation; staffing. The term of a member appointed pursuant to subsection 1, paragraph R is 3 years. A legislative member appointed pursuant to subsection 1, paragraphs A or B serves for the duration of the Legislature in which the legislative member was appointed. At the end of a term, a member continues to serve until a successor is appointed.

Legislative members of the council, the subcommittee under subsection 6 and the working groups under subsection 7 are entitled to receive the legislative per diem, as defined in Title 3, section 2, and reimbursement for travel and other necessary expenses for their attendance at meetings of the council, the subcommittee and the working groups. Public members of the council not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement for travel and other

necessary expenses only. Public members of the subcommittee and the working groups are not entitled to receive reimbursement of any expenses.

The Governor's Office of Policy and Management shall provide staffing services as necessary to the council, the subcommittee and the working groups. The departments and agencies referenced in subsection 1, paragraphs D through Q shall provide additional staffing services to the council, the subcommittee and the working groups, as necessary and as resources allow and when the expertise of the departments or agencies is relevant to the work for which the additional staffing services are required.

3. Chairs. The Governor shall appoint 2 cochaurs from among the members serving pursuant to subsection 1, paragraphs C to N.

4. Removal. The Governor may remove any member appointed under subsection 1, paragraph R for incompetence, misconduct or failure to perform the duties of the position.

5. Steering committee. The cochaurs of the council shall designate a steering committee composed of a subset of the council, including, but not limited to, the cochaurs of the council, the subcommittee cochaurs under subsection 6 and the working group cochaurs under subsection 7. The steering committee shall establish the priorities and order of business of the council, the subcommittee and the working groups and shall provide input on other administrative matters before the council, the subcommittee and the working groups, including, but not limited to, determining the dates and frequency of meetings of the steering committee, the council, the subcommittee and the working groups.

6. Scientific and Technical Subcommittee. The Scientific and Technical Subcommittee, referred to in this section as "the subcommittee," is established within the council to identify, monitor, study and report out to the council and to the working groups under subsection 7 relevant data, findings and recommendations related to climate change in the State and its effects on the State's climate, species, marine and coastal environments and natural landscape and on the oceans and other bodies of water.

The President of the Senate shall appoint as a member of the subcommittee a member of the Senate, and the Speaker of the House of Representatives shall appoint as a member of the subcommittee a member of the House of Representatives and, at the request of the cochaurs of the council, either presiding officer may appoint additional legislators as members of the subcommittee from their respective chamber of the Legislature, except that the President and the Speaker shall ensure that both of the 2 political parties holding the most seats in the Legislature are represented in their appointments to the subcommittee under this subsection. The cochaurs of the council shall appoint as additional members of the subcommittee persons with scientific backgrounds, training and expertise relating to the purposes for which the subcommittee is established. From among these appointed members of the subcommittee, the cochaurs of the council shall designate 2 cochaurs of the subcommittee.

In carrying out its duties, the subcommittee:

A. Shall meet at least every 6 months beginning no later than October 1, 2019, except that the subcommittee must meet at least 4 times before July 1, 2020. The subcommittee shall at its first meeting each calendar year establish an annual work plan;

B. May seek the advice of experts in fields related to its duties;

C. May create subgroups to provide data and recommendations on specific subtopics related to the subcommittee's duties;

D. Shall identify, review and monitor the direct and indirect effects of climate change and the factors contributing to those effects, including, but not limited to, air temperature changes, sea level rise, ocean and coastal acidification, warming ocean temperatures, increased precipitation and changes in salinity and dissolved oxygen concentrations;

E. Shall review, study and analyze existing scientific literature and data on the direct and indirect effects of climate change and how those effects have directly or indirectly affected communities and public health, marine environments and species, agriculture and forestry and ecosystems and species in the State;

F. Shall identify critical scientific data and knowledge gaps pertaining to the data and monitoring of state-based climate changes and impacts and recommend methods for monitoring;

G. Shall identify methods and protocols to mitigate direct and indirect effects of climate change on the State's species;

H. Shall establish science-based sea level rise projections for the State's coastal areas by December 1, 2020 and update those projections at least every 4 years;

I. Shall create maps that indicate the areas of the State that may be most affected by storm surges, ocean and river flooding and extreme weather events and make these maps publicly available on a website maintained by the Department of Agriculture, Conservation and Forestry, Maine Geological Survey; and

J. Shall analyze and identify options for quantifying carbon sequestration and emissions associated with biomass growth, management and utilization in upland and marine environments.

7. Working groups. There is established within the council the following working groups:

A. A transportation working group;

B. A coastal and marine working group;

C. A buildings, infrastructure and housing working group;

D. A working lands working group;

E. An energy working group; and

F. Other working groups established by the council as needed.

The President of the Senate shall appoint as a member of each working group a member of the Senate, and the Speaker of the House of Representatives shall appoint as a member of each working group a member of the House of Representatives and, at the request of the cochaairs of the council, either presiding officer may appoint additional legislators from their respective chamber of the Legislature as members of any working group, except that the President and the Speaker shall ensure that both of the 2 political parties holding the most seats in the Legislature are represented in their appointments to each working group under this paragraph. The cochaairs of the council shall appoint as additional members of each working group representatives of scientific and academic institutions, affected and involved businesses and industries, nonprofit organizations and foundations, the State's youth and federal, state and local governments and agencies. From among these appointed members of each working group, the cochaairs of the council shall designate 2 cochaairs for that working group.

Each working group shall meet at least every 6 months, beginning no later than October 1, 2019 and shall establish at the working group's first meeting each calendar year an annual work plan.

8. Actions by council, subcommittee and working groups. The council shall consider and prioritize actions recommended by the subcommittee established in subsection 6 and the working groups established in subsection 7 and shall ensure that its actions and the actions of the subcommittee and the working groups, as applicable, are consistent with and include, but are not limited to, the following:

A. Developing the State's updated climate action plan in accordance with section 577;

B. Developing recommendations for legislation, including, but not limited to, legislation to better enable state agencies to implement the long-term goals included in the updated climate action plan under section 577;

C. Soliciting input from members of the public when developing the State's updated climate action plan and communicating with the public on progress and actions;

D. Developing broad public and private partnerships with federal, state and local agencies;

E. Ensuring that the State's transition to a clean energy economy benefits all residents of the State fairly and equitably, with particular consideration given to sources of employment, income levels and historical experience. Development of mitigation and adaptation strategies must include consideration of how low-income residents of the State and residents of the State who are members of vulnerable communities will be affected by climate change and by the transition to a clean energy economy and how programs and incentives to address such effects can be designed to be accessible to all residents of the State regardless of income level, age, race or geographic location;

F. Assessing the impacts that climate change may have on the State's economy, revenues and investment decisions;

- G. Assessing the need for utilities and other public and private service providers throughout the State to adjust their operating practices and investment strategies to increase their resiliency to climate change impacts;
- H. Maximizing infrastructure, energy and new technologies for mitigation and adaptation options that come from state sources or create jobs in the State, or both;
- I. Assessing the impacts that climate change may have on agriculture, fishing, forestry and other natural resource-based industries in the State and how those industries might best adapt to preserve those industries and the communities they support;
- J. Recommending short-term and long-term strategies to mitigate the causes of and prepare for and adapt to the consequences of climate change;
- K. Developing a plan to encourage and prepare for transitions in transportation, including both low-carbon and no-carbon technologies, and the changes in infrastructure required to accommodate those technologies, as well as infrastructure changes required as the result of climate disruption;
- L. Developing and recommending strategies to address and prepare for coastal and coastal watershed hazards, including, but not limited to, ocean and coastal acidification, increased storm surges, extreme precipitation and other extreme weather events, projected sea level rise and increased river flooding and storm water runoff and the risks such hazards pose to municipalities, the coastal economy and state assets;
- M. Developing new and supporting existing programs, codes and incentives that encourage increased energy efficiency and lower carbon emissions from the State's public and private buildings and businesses;
- N. Assisting local governments and other constituents in supporting regional and community-scale climate vulnerability assessments and the development of specific strategies and integration of specific strategies into local plans and ordinances;
- O. Encouraging programming in State Government and in municipal governments that allows the State to lead the way in demonstrating initiatives that reduce carbon emissions;
- P. Establishing comprehensive and accountable annual working group work plans that set annual goals and performance benchmarks and prioritize new and existing climate change mitigation, preparedness actions and initiatives and report these out to stakeholders and the public; and
- Q. Considering other related matters as the council, the subcommittee and the working groups determine to be necessary.

The council shall meet at least every 3 months, beginning no later than October 1, 2019, and shall establish at its first meeting each calendar year an annual work plan.

9. Funding. The council may solicit and accept funds from any source, public or private, to fulfill its responsibilities under this section, including, but not limited to, funds necessary to fulfill the responsibilities of the subcommittee under subsection 6 and the working groups under subsection 7.

The council shall include in the report required under subsection 10 a list of the amounts and sources of any funds accepted by the council in the prior calendar year, excluding those funds appropriated or allocated by the Legislature, and an indication of whether such outside funds were expended in the prior calendar year and, if expended, the purpose or purposes of the expenditure.

10. Report. Beginning January 15, 2021, and annually thereafter, the council shall submit a report to the joint standing committee of the Legislature having jurisdiction over environment and natural resources matters describing the activities of the council, the subcommittee and its working groups over the prior calendar year and including any findings and recommendations of the council, including any proposed legislation. After reviewing the report, the joint standing committee may report out legislation to implement any recommendations contained in the report.

Sec. 10. 38 MRSA §578, as amended by PL 2013, c. 415, §5, is further amended to read:

§578. Progress evaluation

~~By January 1, 2006 and by that date every 2 years thereafter, the department~~ The department, in consultation with the Maine Climate Council, established under section 577-A, shall evaluate the State's progress toward meeting the reduction goals specified in section 576, review the cost-effectiveness of the actions taken toward meeting the reduction goals and shall amend the action plan as necessary to ensure that the State can meet the reduction goals 576-A and progress toward implementing the climate action plan in section 577. The department, after consultation with the council, shall submit a report of its evaluation to the joint standing committee of the Legislature having jurisdiction over natural resources matters and the joint standing committee of the Legislature having jurisdiction over utilities and energy matters by January 1, 2016 December 1, 2022 and by that date every 2 years thereafter. The department, in consultation with the council, may recommend other metrics to share the progress on climate mitigation and adaptation strategies with the Legislature and public. The joint standing committee of the Legislature having jurisdiction over natural resources matters is authorized to report out legislation relating to the evaluation to the second regular session of any Legislature. The report required under this section, and the joint standing committee of the Legislature having jurisdiction over utilities and energy matters may make recommendations to the joint standing committee of the Legislature having jurisdiction over natural resources matters regarding that legislation. Starting no earlier than January 1, 2008, the department may recommend to the joint standing committee of the Legislature having jurisdiction over natural resources matters that the reduction goals specified in section 576 be increased or decreased.

Sec. 11. Appropriations and allocations. The following appropriations and allocations are made.

LEGISLATURE

Legislature 0081

Initiative: Appropriates funds for the costs to the Legislature for legislators to participate on the Maine Climate Council, the Council's Scientific and Technical Subcommittee and the Council's working groups.

GENERAL FUND	2019-20	2020-21
Personal Services	\$1,320	\$1,210
All Other	\$3,360	\$3,080
GENERAL FUND TOTAL	<hr/> \$4,680	<hr/> \$4,290

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

LD 1778

**Maine Children's Cabinet Early
Childhood Advisory Council**



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1778

S.P. 602

In Senate, May 23, 2019

An Act To Amend the Laws Concerning the Children's Cabinet and Its Advisory Councils

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in dark ink, appearing to read "Darek M. Grant".

DAREK M. GRANT
Secretary of the Senate

Presented by Senator MILLETT of Cumberland. (GOVERNOR'S BILL)
Cosponsored by Representative FARNSWORTH of Portland and
Senators: CARSON of Cumberland, POULIOT of Kennebec, Representative: BRENNAN of
Portland.

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

2 **Sec. 1. 5 MRSA §12004-I, sub-§35-B,** as enacted by PL 1993, c. 158, §1, is
3 repealed.

4 **Sec. 2. 5 MRSA §12004-J, sub-§16,** as enacted by PL 2007, c. 683, Pt. A, §1, is
5 repealed.

6 **Sec. 3. 5 MRSA §12004-J, sub-§18** is enacted to read:

7 **18.**

8 <u>Children</u>	<u>Maine Children's</u>	<u>Legislative Per</u>	<u>5 MRSA §24051</u>
9	<u>Cabinet Early</u>	<u>Diem and Expenses</u>	
10	<u>Childhood Advisory</u>	<u>for Legislators</u>	
11	<u>Council</u>		

12 **Sec. 4. 5 MRSA §19131, sub-§1,** as enacted by PL 1999, c. 785, §3, is amended
13 to read:

14 **1. Establishment.** The Children's Cabinet, referred to in this chapter as the
15 "cabinet," is established to promote and support active, vigorous and frequent
16 interdepartmental collaboration on ~~children's~~ children and youth policy development and
17 program implementation ~~and to support~~ supporting the provision of services for Maine
18 families ~~and~~ children and youth that are planned, managed and delivered in a ~~holistic and~~
19 an integrated manner to improve their support and enhance educational opportunities,
20 self-sufficiency, safety, economic stability, health and ~~quality of life~~ well-being.

21 **Sec. 5. 5 MRSA §19131, sub-§3,** as enacted by PL 1999, c. 785, §3, is amended
22 to read:

23 **3. Chair.** The Governor shall appoint one of the members serving pursuant to
24 subsection 2, paragraphs A to F to serve as chair of the cabinet. The term of the chair is ~~2~~
25 years one year.

26 **Sec. 6. 5 MRSA §19131, sub-§4** is enacted to read:

27 **4. Meetings.** The cabinet shall meet at least 4 times per year.

28 **Sec. 7. 5 MRSA §19132,** as enacted by PL 1999, c. 785, §3, is amended to read:

29 **§19132. Duties of the cabinet**

30 The cabinet shall collaborate to create, manage and promote coordinated policies,
31 finances, programs and service delivery systems ~~that to~~ to support children, youth and
32 families ~~and communities~~ consistent with the purposes of this chapter. To accomplish
33 these purposes, the cabinet shall carry out the following duties:

1 **1. Regional children's cabinets.** Appoint regional children's cabinets to ensure that
2 the purposes of this chapter are implemented at the regional and local levels;

3 ~~**2. Subcommittees.** Appoint subcommittees, which may include members from any~~
4 ~~public or private agency, advisory committee or any citizen, who has appropriate interest~~
5 ~~and expertise, as may be necessary to carry out the work of the cabinet;~~

6 **3. Coordinated funding; collaboration.** Coordinate funding, grants and budgets
7 among the departments of the cabinet related to child, youth and family services in order
8 to carry out the purpose of this chapter, collaborate to share resources, remove barriers
9 and support innovative initiatives, prevention and best practices that prevent address
10 health and behavioral problems in children and youth;

11 **4. Data collection, planning and policy development.** ~~Conduct~~ Determine
12 effective data sources to allow analysis leading to integrated and innovative approaches to
13 identified priority areas of need of the cabinet and conduct long-range planning and
14 policy development leading to a more effective public and private service delivery
15 system;

16 ~~**5. Coordinated service delivery.** Coordinate the delivery of residential and~~
17 ~~community-based children's services among the departments;~~

18 ~~**6. Assessment.** Assess resource capacity and allocations;~~

19 **7. Policy and program review.** ~~Improve~~ Update policies, statutes, rules and
20 programs through the review of specific case examples to ensure consistency across all
21 departments in addressing the cabinet's priority areas; and

22 **8. Communication.** Broadly and transparently communicate the work of the
23 cabinet; through a variety of mechanisms;

24 **9. Program implementation and oversight.** Initiate, implement and oversee
25 programs, policies and services consistent with the purposes of this chapter; and

26 **10. Maine Children's Cabinet Early Childhood Advisory Council.** Oversee the
27 Maine Children's Cabinet Early Childhood Advisory Council, established under section
28 24051, and direct a representative of the cabinet to meet at least once yearly with the
29 Maine Children's Cabinet Early Childhood Advisory Council and consult with one or
30 more state-designated groups representing youth issues regarding goals selected by the
31 Maine Children's Cabinet Early Childhood Advisory Council.

32 **Sec. 8. 5 MRSA §19133**, as enacted by PL 1999, c. 785, §3, is amended to read:

33 **§19133. Program implementation and oversight**

34 The cabinet shall initiate, implement and oversee programs, policies and services
35 consistent with the purposes of this chapter, ~~which may include but are not limited to:~~

36 ~~**1. Communities for Children.** Supporting a collaborative effort between~~
37 ~~communities and State Government, known as Communities for Children, to effectively~~

1 address problems facing the State's children and families by mobilizing the resources of
2 State Government with resources and leadership at the community level;

3 ~~2. Effectiveness indicators.~~ Identifying indicators to measure child well being to be
4 used by Maine policy makers;

5 ~~3. Safe homes.~~ Working to ensure that all children have a safe and permanent home;

6 ~~4. Civil and caring school environments.~~ Providing civil and caring school
7 environments in which violence is eliminated and the health needs of students are
8 provided for;

9 ~~5. Supportive communities.~~ Focusing community members and resources to
10 support goal setting, counseling and mentoring for every child;

11 ~~6. Reducing suicide.~~ Reducing the incidence of suicide among Maine youth and
12 improving access to appropriate prevention and intervention services;

13 ~~7. Access to information and referral.~~ Ensuring easy access to information and
14 referral services regarding child and family services;

15 ~~8. Service coordination.~~ Coordinating social services to children and their families
16 as an integrated whole and facilitating access to all services needed by family members;

17 ~~9. Ensuring services.~~ Ensuring coordination of services to parents of children birth
18 to 5 years of age; and

19 ~~10. Local case review and resolution; pooled funds.~~ Providing services to children
20 with multiple needs within the child's community by supporting case review and
21 resolution at the local level using appropriate funds pooled from each department of the
22 cabinet.

23 Sec. 9. 5 MRSA §19134, as enacted by PL 1999, c. 785, §3, is amended to read:

24 **§19134. Funds**

25 The cabinet is authorized to ~~solicit request~~ receive and pool funds from the Federal
26 Government, any department, office or political subdivision of the State or any
27 individual, foundation or corporation and may expend those funds for purposes that are
28 consistent with this chapter.

29 Sec. 10. 5 MRSA c. 621, as amended, is repealed.

30 Sec. 11. 5 MRSA c. 623 is enacted to read:

31 **CHAPTER 623**

32 **MAINE CHILDREN'S CABINET EARLY CHILDHOOD ADVISORY COUNCIL**

1 **§24051. Maine Children's Cabinet Early Childhood Advisory Council**

2 **1. Definitions.** As used in this chapter, unless the context otherwise indicates, the
3 following terms have the following meanings.

4 **A. "Cabinet" means the Children's Cabinet established in section 19131.**

5 **B. "Council" means the Maine Children's Cabinet Early Childhood Advisory**
6 **Council established in subsection 2.**

7 **C. "Young children" means children from birth until they complete grade 3.**

8 **2. Establishment.** The Maine Children's Cabinet Early Childhood Advisory
9 Council, as established in section 12004-J, subsection 18, is created to develop, maintain
10 and evaluate under the direction of the cabinet a plan for sustainable social and financial
11 investment in healthy development of the State's young children and their families.

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

15 **A. One member of the Senate, appointed by the President of the Senate;**

16 **B. One member of the House of Representatives, appointed by the Speaker of the**
17 **House;**

18 **C. The Governor or the Governor's designee;**

19 **D. One person who is the parent of a young child, appointed by the Governor;**

20 **E. Two persons with experience in public funding and philanthropy, appointed by**
21 **the Governor;**

22 **F. One person representing child abuse and neglect prevention, appointed by the**
23 **Governor;**

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

25 **H. Three persons representing statewide, membership or constituent organizations**
26 **that advance the well-being of young children and their families, including early care**
27 **and education programs, child care centers, Head Start programs, family child care**
28 **providers, resource development centers, programs for school-age children, child**
29 **development services, physicians and child advocates, nominated by their**
30 **organizations and appointed by the cabinet;**

31 **I. One person representing a business roundtable on early childhood investment,**
32 **appointed by the Governor;**

33 **J. One person with expertise in children's health or public health, appointed by the**
34 **Governor;**

35 **K. Two ex officio nonvoting members who are employees of the Department of**
36 **Education and direct or work in programming that affects young children, appointed**
37 **by the Commissioner of Education; and**

1 L. Two ex officio nonvoting members who are employees of the Department of
2 Health and Human Services and direct or work in programming that affects young
3 children, appointed by the Commissioner of Health and Human Services.

4 4. Terms of appointment. Except for ex officio members, members of the council
5 are appointed for terms of 3 years. Members who are Legislators are appointed for the
6 duration of the legislative terms in which they were appointed. Members who are not
7 Legislators may serve beyond their designated terms until their successors are appointed.

8 5. Chair. The Governor shall appoint a chair for the council.

9 6. Staffing; funding. The council may hire staff as necessary for its work and as
10 resources permit. The council may accept grant funding and other funding as may be
11 available for the work of the council from the Federal Government, any department,
12 office or political subdivision of the State or any individual, foundation or corporation.

13 **§24052. Duties**

14 1. Duties. The duties of the council include, but are not limited to:

15 A. Reviewing and addressing recommendations of the cabinet regarding young
16 children in the following areas:

17 (1) Early childhood policy implementation to ensure an effective public and
18 private service delivery system and reporting recommendations based upon the
19 review to the cabinet; and

20 (2) The delivery of early childhood services by the departments of the cabinet
21 and recommending improvements to increase efficiencies in the delivery of
22 services;

23 B. Advising the Department of Health and Human Services regarding:

24 (1) The coordination of child care services in the State; and

25 (2) The preparation of any application, amendment, waiver request, plan or other
26 document submitted by the department to the Federal Government regarding
27 child care funding or other early childhood services grants;

28 C. Reviewing and commenting on initiatives and plans of the cabinet related to early
29 childhood;

30 D. Submitting annually to the cabinet recommendations for changes to laws and
31 rules to reduce barriers to collaboration and coordination among federally funded and
32 state-funded programs and services for young children and the children's families and
33 to improve the quality of programs and services for young children statewide.
34 Recommendations must include, but are not limited to, methods to:

35 (1) Promote the availability of services and programs for young children and the
36 children's families across the State;

37 (2) Promote innovative programs for young children and the children's families
38 including funding models for early childhood and education programs and
39 services; and

(3) Enhance and improve quality and outcomes of early childhood and education programs and services, including child development services, home visitation, child care, education services, supervision services, health services and social services; and

E. Developing and periodically updating a process for evaluating the council's effectiveness in performing the council's duties, including advising the cabinet.

Sec. 12. 20-A MRSA §10, sub-§2, ¶G, as amended by PL 2009, c. 540, §2, is further amended to read:

G. The Maine Municipal Association; and

Sec. 13. 20-A MRSA §10, sub-§2, ¶H, as amended by PL 2009, c. 540, §3, is further amended to read:

H. The Maine Principals Association; and.

Sec. 14. 20-A MRSA §10, sub-§2, ¶I, as enacted by PL 2009, c. 540, §4, is repealed.

Sec. 15. 22 MRSA §3731, sub-§2, as enacted by PL 1993, c. 158, §2, is amended to read:

2. Council. "Council" means the ~~Child-Care~~ Maine Children's Cabinet Early Childhood Advisory Council established pursuant to Title 5, section ~~12004-I~~ 12004-J, subsection ~~35-B~~ 18.

Sec. 16. 22 MRSA §3739, as amended by PL 2017, c. 407, Pt. A, §79, is repealed.

SUMMARY

This bill:

1. Amends certain provisions governing the Children's Cabinet;
2. Eliminates the Maine Children's Growth Council;
3. Eliminates the Child Care Advisory Council; and
4. Establishes the Maine Children's Cabinet Early Childhood Advisory Council to develop and evaluate under the direction of the Children's Cabinet a plan for the healthy development of the State's young children and their families.

Date:

(Filing No. S-)

EDUCATION AND CULTURAL AFFAIRS

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

129TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT “ ” to S.P. 602, L.D. 1778, Bill, “An Act To Amend the Laws Concerning the Children's Cabinet and Its Advisory Councils”

Amend the bill in section 11 in §24051 by striking out all of subsection 3 (page 4, lines 12 to 37 and page 5, lines 1 to 3 in L.D.) and inserting the following:

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

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

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

C. The Governor or the Governor's designee;

D. One person who is the parent of a young child, appointed by the Speaker of the House;

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

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

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

H. Three persons representing statewide, membership or constituent organizations that advance the well-being of young children and their families, including early care and education programs, child care centers, Head Start programs, resource development centers, programs for school-age children, child development services, physicians and child advocates, nominated by their organizations and appointed by the cabinet;

1 I. Two persons representing statewide, membership or constituent organizations for
 2 public and private family child care providers, nominated by their organizations and
 3 appointed by the cabinet;

4 J. One person representing a business roundtable on early childhood investment,
 5 appointed by the Governor;

6 K. One person with expertise in children's health or public health, appointed by the
 7 Governor;

8 L. Two ex officio nonvoting members who are employees of the Department of
 9 Education and direct or work in programming that affects young children, appointed
 10 by the Commissioner of Education; and

11 M. Two ex officio nonvoting members who are employees of the Department of
 12 Health and Human Services and direct or work in programming that affects young
 13 children, appointed by the Commissioner of Health and Human Services.'

14 Amend the bill in section 11 in §24052 in subsection 1 in paragraph D in the first line
 15 (page 5, line 30 in L.D.) by inserting after the following: "cabinet" the following: 'and the
 16 joint standing committees of the Legislature having jurisdiction over education and
 17 cultural affairs and health and human services matters'

18 Amend the bill by striking out all of section 14 and inserting the following:

19 '**Sec. 14. 20-A MRSA §10, sub-§2, ¶I,** as enacted by PL 2009, c. 540, §4, is
 20 amended to read:

21 I. The Maine Children's ~~Growth~~ Cabinet Early Childhood Advisory Council.'

22 Amend the bill by adding after section 16 the following:

23 '**Sec. 17. Appropriations and allocations.** The following appropriations and
 24 allocations are made.

25 **LEGISLATURE**

26 **Legislature 0081**

27 Initiative: Deappropriates funds for the Child Care Advisory Council.

28	GENERAL FUND	2019-20	2020-21
29	Personal Services	(\$660)	(\$660)
30	All Other	(\$600)	(\$600)
31			
32	GENERAL FUND TOTAL	(\$1,260)	(\$1,260)

33 **Legislature 0081**

34 Initiative: Appropriates funds for the Maine Children's Cabinet Early Childhood Advisory
 35 Council.

COMMITTEE AMENDMENT " " to S.P. 602, L.D. 1778

1	GENERAL FUND	2019-20	2020-21
2	Personal Services	\$880	\$880
3	All Other	\$1,120	\$1,120
4			
5	GENERAL FUND TOTAL	\$2,000	\$2,000

6 **Legislature 0081**

7 Initiative: Deappropriates funds for the Maine Children's Growth Council.

8	GENERAL FUND	2019-20	2020-21
9	Personal Services	(\$1,980)	(\$1,980)
10	All Other	(\$1,800)	(\$1,800)
11			
12	GENERAL FUND TOTAL	(\$3,780)	(\$3,780)

13	LEGISLATURE		
14	DEPARTMENT TOTALS	2019-20	2020-21
15			
16	GENERAL FUND	(\$3,040)	(\$3,040)
17			
18	DEPARTMENT TOTAL - ALL FUNDS	(\$3,040)	(\$3,040)

19 **MAINE CHILDREN'S CABINET EARLY CHILDHOOD ADVISORY COUNCIL**

20 **Maine Children's Cabinet Early Childhood Advisory Council N335**

21 Initiative: Establishes allocation in the Federal Expenditures Fund and Other Special
22 Revenue Funds.

23	FEDERAL EXPENDITURES FUND	2019-20	2020-21
24	All Other	\$500	\$500
25			
26	FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500

27	OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
28	All Other	\$500	\$500
29			
30	OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

1	MAINE CHILDREN'S CABINET EARLY		
2	CHILDHOOD ADVISORY COUNCIL		
3	DEPARTMENT TOTALS	2019-20	2020-21
4			
5	FEDERAL EXPENDITURES FUND	\$500	\$500
6	OTHER SPECIAL REVENUE FUNDS	\$500	\$500
7			
8	DEPARTMENT TOTAL - ALL FUNDS	\$1,000	\$1,000

9	SECTION TOTALS	2019-20	2020-21
10			
11	GENERAL FUND	(\$3,040)	(\$3,040)
12	FEDERAL EXPENDITURES FUND	\$500	\$500
13	OTHER SPECIAL REVENUE FUNDS	\$500	\$500
14			
15	SECTION TOTAL - ALL FUNDS	(\$2,040)	(\$2,040)
16			

17 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
18 section number to read consecutively.

19 **SUMMARY**

20 This amendment, which is the majority report of the committee, amends the
21 membership of the Maine Children's Cabinet Early Childhood Advisory Council to
22 include 2 members of the Senate and 2 members of the House of Representatives, one
23 from each of the 2 political parties having the greatest number of members in the House
24 and Senate. It also requires that the member who is the parent of a young child be
25 appointed by the Speaker of the House and the member representing child abuse and
26 neglect prevention be appointed by the President of the Senate and adds 2 members who
27 represent public and private family child care providers nominated by their organizations
28 and appointed by the Children's Cabinet.

29 The amendment also requires the council to submit its annual report to the joint
30 standing committees of the Legislature having jurisdiction over education and cultural
31 affairs and health and human services matters in addition to the Children's Cabinet.

32 The amendment also adds a member of the Maine Children's Cabinet Early
33 Childhood Advisory Council to the Education Research Institute Steering Committee in
34 place of the member of the Maine Children's Growth Council. The amendment adds an
35 appropriations and allocations section.

36 **FISCAL NOTE REQUIRED**

37 (See attached)

HP 1277

**Joint Standing Committee on
Criminal Justice and Public Safety
Study of the Stabilization of Funding
for the County Jails and the Regional
Jail**

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

**Joint Order, Requiring the Joint Standing Committee on
Criminal Justice and Public Safety To Study the Stabilization
of Funding for the County Jails and the Regional Jail**

ORDERED, the Senate concurring, that the Joint Standing Committee on Criminal Justice and Public Safety shall conduct a study of funding of Maine's county jails and the regional jail. In conducting the study the committee shall invite the participation of interested parties, including but not limited to representatives of the Maine County Commissioners' Association, the Maine Chiefs of Police Association, the Maine Sheriffs' Association, the Maine Municipal Association, NAMI Maine, the Department of Corrections and the Judicial Branch. The committee shall review sources and amounts of funding for the county jails and the regional jail and categories and amounts of expenses. The committee may request financial information from the counties through the county sheriffs and from the Department of Corrections and the Department of Administrative and Financial Services. The committee shall provide a report with recommendations to stabilize jail funding to the Second Regular Session of the 129th Legislature and may concurrently report out legislation related to that report.

LD 512

Legislature to Contract for an Independent Review to Evaluate and Plan for the Implementation of Maine's Early Childhood Special Education Services

1 L.D. 512
2 Date: (Filing No. H-)

3 **EDUCATION AND CULTURAL AFFAIRS**

4 Reproduced and distributed under the direction of the Clerk of the House.

5 **STATE OF MAINE**
6 **HOUSE OF REPRESENTATIVES**
7 **129TH LEGISLATURE**
8 **FIRST REGULAR SESSION**

9 COMMITTEE AMENDMENT " " to H.P. 369, L.D. 512, "Resolve, To Create the
10 Task Force To Study and Plan for the Implementation of Maine's Early Childhood
11 Special Education Services"

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

13 **'Resolve, To Authorize the Legislature To Contract for an Independent Review To**
14 **Evaluate and Plan for the Implementation of Maine's Early Childhood Special**
15 **Education Services'**

16 Amend the resolve by striking out everything after the title and inserting the
17 following:

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

20 **Whereas, in order to obtain information to address the effectiveness, efficiency,**
21 **accountability and costs of early childhood special education systems in this State in a**
22 **timely manner and to make informed policy decisions, the Legislature should provide for**
23 **an independent review of early childhood special education services; and**

24 **Whereas, the Legislature should promptly contract with a qualified research and**
25 **technical assistance entity to conduct an independent review of Maine's early childhood**
26 **special education services; and**

27 **Whereas, the process to begin contracting with a qualified research and technical**
28 **assistance entity must be initiated before the 90-day period expires; and**

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

33 **Sec. 1. Legislature to contract for independent review of the State's early**
34 **childhood special education services. Resolved: That the Legislature, through the**

1 Joint Standing Committee on Education and Cultural Affairs, referred to in this resolve as
2 "the joint standing committee," may contract with a qualified research and technical
3 assistance entity to conduct pursuant to sections 5 and 6 an independent review of the
4 State's early childhood special education services and develop recommendations and an
5 implementation plan.

6 **Sec. 2. Assistance; request for proposals process. Resolved:** That, at the
7 direction of the joint standing committee, the Office of the Executive Director of the
8 Legislative Council, referred to in this resolve as "the office," shall develop and
9 administer a request for proposals process to permit the Legislature, through the joint
10 standing committee, to award a contract pursuant to section 1. The office, with the advice
11 and assistance of the Independent Review Advisory Committee, established under section
12 4 and referred to in this resolve as "the advisory committee," and in consultation with and
13 with the approval of the joint standing committee, shall:

14 1. Develop and administer a request for proposals process in accordance with section
15 3;

16 2. Administer the contract entered into pursuant to section 1, including monitoring
17 the research and technical assistance entity's performance in meeting deadlines, providing
18 deliverables pursuant to sections 5 and 6 and complying with other terms of the contract;
19 and

20 3. Within available resources, provide other assistance to the joint standing
21 committee relating to the contract and the purposes of this resolve.

22 **Sec. 3. Request for proposals; standards and selection process. Resolved:**
23 That the office, with the advice and assistance of the advisory committee, and in
24 consultation with and with the approval of the joint standing committee, shall administer
25 a request for proposals process in accordance with this section.

26 1. The qualifications of a research and technical assistance entity submitting a
27 proposal must include, but are not limited to, the financial, technical and operational
28 capacity of the entity to conduct state-level education policy research and fiscal analysis,
29 as demonstrated by the entity's professional experience and expertise.

30 2. With the approval of the joint standing committee, the office shall issue a request
31 for proposals and publish notice of the request on the Legislature's publicly accessible
32 website and through advertisements in 2 or more public newspapers circulated wholly or
33 in part in the State and may provide any further notice of the request to any other media
34 or entities, as approved by the joint standing committee. The notice must provide that the
35 office will accept, for 30 days after the first date of publication, proposals from qualified
36 research and technical assistance entities that meet the standards approved by the joint
37 standing committee.

38 3. After proposals have been received and the period for accepting proposals has
39 expired, the office, with the advice and counsel of the advisory committee, shall evaluate
40 the proposals and present a ranking of or recommendations regarding the proposals to the
41 joint standing committee. The joint standing committee shall review the
42 recommendations and choose the proposal it wishes to accept. The joint standing
43 committee shall notify the Executive Director of the Legislative Council of its selection

1 of a proposal. The executive director shall execute a contract with the selected research
2 and technical assistance entity on behalf of the Legislature.

3 4. Notwithstanding the Maine Revised Statutes, Title 1, section 402, except for the
4 name and mailing address of a research and technical assistance entity that submits a
5 proposal, the proposal and all other materials prepared, used or submitted in connection
6 with the proposal are confidential and are not subject to public review until the period for
7 accepting proposals has expired.

8 **Sec. 4. Independent Review Advisory Committee. Resolved:** That the
9 Independent Review Advisory Committee is established to advise the office and joint
10 standing committee on matters related to developing a request for proposals and
11 administering the contract entered into pursuant to this resolve. The advisory committee
12 consists of the following members:

13 1. The Commissioner of Education or the commissioner's designee;

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

15 3. One member who is a contracted service provider of early intervention and free,
16 appropriate public education services appointed by the President of the Senate from a list
17 provided by the Maine Association for Community Service Providers;

18 4. One member who is a representative of a Head Start agency or program,
19 representing Head Start programs in the State appointed by the President of the Senate
20 from a list provided by the Maine Head Start Directors Association;

21 5. One member who is a teacher in an early childhood education program for children
22 4 years of age that includes coordination of programs and services for eligible children
23 within a public elementary school from a large school administrative unit appointed by
24 the President of the Senate from a list provided by the Maine Education Association;

25 6. One member who is a principal of a public elementary school of an urban school
26 administrative unit that has implemented an early childhood education program for
27 children 4 years of age that includes coordination of programs and services for eligible
28 children appointed by the President of the Senate from a list provided by the Maine
29 Principals' Association;

30 7. One member appointed by the President of the Senate from a list provided by the
31 Maine Developmental Disabilities Council, established in the Maine Revised Statutes,
32 Title 5, section 12004-I, subsection 66;

33 8. One member representing a statewide association of speech, language and hearing
34 therapists appointed by the President of the Senate from a list provided by the Maine
35 Speech Language Hearing Association;

36 9. One member who is a parent of a child with a disability between 3 years of age and
37 5 years of age appointed by the Speaker of the House from a list provided by the Maine
38 Parent Federation;

39 10. One member who is a representative of a child care program appointed by the
40 Speaker of the House from a list provided by the Maine Association for the Education of
41 Young Children;

1 11. One member who is a special education director from a small school
2 administrative unit appointed the Speaker of the House from a list provided by the Maine
3 Administrators of Services for Children with Disabilities;

4 12. One member who is a superintendent of a rural school administrative unit that
5 has implemented an early childhood education program for children 4 years of age that
6 includes coordination of programs and services for eligible children appointed by the
7 Speaker of the House from a list provided by the Maine School Superintendents
8 Association; and

9 13. One member representing a statewide association of occupational therapists
10 appointed by the Speaker of the House from a list provided by the Maine Occupational
11 Therapy Association.

12 The advisory committee shall elect a chair from among its members. The office shall
13 provide to the members of the joint standing committee notice of the meetings of the
14 office with the advisory committee so that members of the joint standing committee may
15 attend.

16 **Sec. 5. Scope of the review. Resolved:** That the contract entered into pursuant
17 to section 1 must require an objective evaluation of the State's early childhood special
18 education services from birth to 5 years of age. The evaluation must include, but is not
19 limited to, comparisons between this State and other comparable states and an
20 implementation plan for the transition of services from the Child Development Services
21 System under the Maine Revised Statutes, Title 20-A, section 7209 to local school
22 administrative units and must address the following:

23 1. National trends and relevant models of governing and delivering early childhood
24 special education systems in other states and jurisdictions that hold the potential for
25 enhancing the effectiveness, efficiency or accountability of the early childhood special
26 education system in the State;

27 2. The short-term and long-term costs and benefits of the proposed plan to restructure
28 the Child Development Services System as presented to the Legislature in An Act To
29 Reorganize the Provision of Services for Children with Disabilities from Birth to 5 Years
30 of Age, L.D. 1715 from the First Regular Session of the 129th Legislature;

31 3. The impact that the proposed plan will have on the following:

32 A. Current Child Development Services System staff, including but not limited to the
33 potential impact on staff retirement and how any negative impact on staff retirement
34 can be reduced or eliminated and whether Child Development Services System
35 employees would become employees of the local school administrative unit or the
36 State;

37 B. Current school administrative unit staff;

38 C. The provision of services for children birth to 3 years of age; and

39 D. Due process complaints;

40 4. The development of recommendations for an early childhood special education
41 services program plan for the State, which must include, but is not limited to:

42 A. Models of best practices;

1 B. Fiscally sound budget forecasting, including all possible revenue streams and
2 updated costs;

3 C. Transportation services;

4 D. Data systems, including a billing system, a system that allows coordination with
5 the MaineCare program and a case management documentation system;

6 E. A timeline for the implementation of the plan under this section;

7 F. A procedure for data collection and analysis conducted by the Maine Education
8 Policy Research Institute;

9 G. A method for assessing a school administrative unit's capacity for implementing
10 early childhood special education programs;

11 H. Training requirements for service providers and leaders;

12 I. A public information communication strategy for implementation of the plan;

13 J. Identification of potential revisions to the Department of Health and Human
14 Services rule Chapter 101: MaineCare Benefits Manual; and

15 K. Workforce capacity, including but not limited to the availability of certified
16 teachers; and

17 5. A step-by-step implementation plan for the transition of special education services
18 for children from birth to 3 years of age to the Department of Education and a step-by-
19 step implementation plan for the transition of special education services for children 3
20 years of age to 5 years of age to local school administrative units, including but not
21 limited to the resources required, both human and financial, and a detailed timeline.

22 **Sec. 6. General requirements of the review. Resolved:** That the contract
23 entered into pursuant to section 1 must require:

24 1. A review of previous studies and available data related to early childhood special
25 education, including but not limited to the findings and recommendations of the
26 Subcommittee To Study Early Childhood Special Education in its January 2007 report
27 and the findings and recommendations of the Office of Program Evaluation and
28 Government Accountability in its July 2012 report on child development services; and

29 2. The selected research and technical assistance entity to provide opportunities for
30 input from education stakeholder groups in the State as part of its evaluation.

31 The Department of Education, the Department of Administrative and Financial
32 Services, Bureau of Revenue Services and the Education Research Institute established in
33 the Maine Revised Statutes, Title 20-A, section 10 shall provide the selected research and
34 technical assistance entity with access to previous reports on school funding in the State
35 and access to database information necessary to carry out the evaluation.

36 **Sec. 7. Preliminary and final reports. Resolved:** That the research and
37 technical assistance entity selected to conduct the independent review pursuant to this
38 resolve shall present a preliminary report of the results of the review under sections 5 and
39 6 to the joint standing committee no later than April 1, 2020. The selected research and
40 technical assistance entity shall present a final report to the joint standing committee by
41 December 1, 2020. The joint standing committee of the Legislature having jurisdiction

over education matters may submit a bill relating to the final report to the First Regular Session of the 130th Legislature.

Sec. 8. Committee meetings authorized. Resolved: That the joint standing committee may meet up to 4 times to carry out its responsibilities under this resolve.

Sec. 9. Transfer from Fund for the Efficient Delivery of Educational Services, Other Special Revenue Funds account; General Fund unappropriated surplus; fiscal year 2019-20. Resolved: That, notwithstanding any provision of law to the contrary, the State Controller shall transfer \$200,000 from the Fund for the Efficient Delivery of Educational Services, Other Special Revenue Funds account within the Department of Education to the General Fund unappropriated surplus no later than July 31, 2019.

Sec. 10. Transfer from Fund for the Efficient Delivery of Educational Services, Other Special Revenue Funds account; General Fund unappropriated surplus; fiscal year 2020-21. Resolved: That, notwithstanding any provision of law to the contrary, the State Controller shall transfer \$300,000 from the Fund for the Efficient Delivery of Educational Services, Other Special Revenue Funds account within the Department of Education to the General Fund unappropriated surplus no later than July 31, 2020.

Sec. 11. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

LEGISLATURE

Legislature 0081

Initiative: Provides one-time funds for an independent review of Maine's early childhood special education services.

GENERAL FUND	2019-20	2020-21
All Other	\$200,000	\$300,000
GENERAL FUND TOTAL	\$200,000	\$300,000

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

SUMMARY

This amendment authorizes the Legislature, through the Joint Standing Committee on Education and Cultural Affairs, to contract with a qualified research and technical assistance entity to conduct an independent review of Maine's early childhood special education services. This amendment authorizes the Office of the Executive Director of the Legislative Council, at the direction of the Joint Standing Committee on Education

COMMITTEE AMENDMENT “ ” to H.P. 369, L.D. 512

1 and Cultural Affairs, to develop and administer a request for proposals process to award a
2 contract for the independent review. The amendment also adds an appropriations and
3 allocations section.

4 **FISCAL NOTE REQUIRED**

5 (See attached)

COMMITTEE AMENDMENT "A" to H.P. 743, L.D. 1001

3. Funding for public preschool programs, including funding options that will encourage school administrative units to implement new public preschool programs or expand existing public preschool programs.

No later than January 1, 2020, the Department of Education shall submit a report of its recommendations, including recommended legislation, to the Joint Standing Committee on Education and Cultural Affairs. The joint standing committee may report out legislation to the Second Regular Session of the 129th Legislature to implement the recommendations included in the report.

PART VVVV

Sec. VVVV-1. Legislature to contract for independent review of the State's early childhood special education services. The Legislature, through the Joint Standing Committee on Education and Cultural Affairs, referred to in this Part as "the joint standing committee," may contract with a qualified research and technical assistance entity to conduct pursuant to sections 5 and 6 an independent review of the State's early childhood special education services and develop recommendations and an implementation plan.

Sec. VVVV-2. Assistance; request for proposals process. At the direction of the joint standing committee, the Office of the Executive Director of the Legislative Council, referred to in this Part as "the office," shall develop and administer a request for proposals process to permit the Legislature, through the joint standing committee, to award a contract pursuant to section 1. The office, with the advice and assistance of the Independent Review Advisory Committee, established under section 4 and referred to in this Part as "the advisory committee," and in consultation with and with the approval of the joint standing committee, shall:

1. Develop and administer a request for proposals process in accordance with section 3;
2. Administer the contract entered into pursuant to section 1, including monitoring the research and technical assistance entity's performance in meeting deadlines, providing deliverables pursuant to sections 5 and 6 and complying with other terms of the contract; and

3. Within available resources, provide other assistance to the joint standing committee relating to the contract and the purposes of this Part.

Sec. VVVV-3. Request for proposals; standards and selection process. The office, with the advice and assistance of the advisory committee, and in consultation with and with the approval of the joint standing committee, shall administer a request for proposals process in accordance with this section.

1. The qualifications of a research and technical assistance entity submitting a proposal must include, but are not limited to, the financial, technical and operational capacity of the entity to conduct state-level education policy research and fiscal analysis, as demonstrated by the entity's professional experience and expertise.

1 2. With the approval of the joint standing committee, the office shall issue a request
2 for proposals and publish notice of the request on the Legislature's publicly accessible
3 website and through advertisements in 2 or more public newspapers circulated wholly or
4 in part in the State and may provide any further notice of the request to any other media
5 or entities, as approved by the joint standing committee. The notice must provide that the
6 office will accept, for 30 days after the first date of publication, proposals from qualified
7 research and technical assistance entities that meet the standards approved by the joint
8 standing committee.

9 3. After proposals have been received and the period for accepting proposals has
10 expired, the office, with the advice and counsel of the advisory committee, shall evaluate
11 the proposals and present a ranking of or recommendations regarding the proposals to the
12 joint standing committee. The joint standing committee shall review the
13 recommendations and choose the proposal it wishes to accept. The joint standing
14 committee shall notify the Executive Director of the Legislative Council of its selection
15 of a proposal. The executive director shall execute a contract with the selected research
16 and technical assistance entity on behalf of the Legislature.

17 4. Notwithstanding the Maine Revised Statutes, Title 1, section 402, except for the
18 name and mailing address of a research and technical assistance entity that submits a
19 proposal, the proposal and all other materials prepared, used or submitted in connection
20 with the proposal are confidential and are not subject to public review until the period for
21 accepting proposals has expired.

22 **Sec. VVVV-4. Independent Review Advisory Committee.** The Independent
23 Review Advisory Committee is established to advise the office and joint standing
24 committee on matters related to developing a request for proposals and administering the
25 contract entered into pursuant to this Part. The advisory committee consists of the
26 following members:

27 1. The Commissioner of Education or the commissioner's designee;

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

29 3. One member who is a contracted service provider of early intervention and free,
30 appropriate public education services appointed by the President of the Senate from a list
31 provided by the Maine Association for Community Service Providers;

32 4. One member who is a representative of a Head Start agency or program,
33 representing Head Start programs in the State appointed by the President of the Senate
34 from a list provided by the Maine Head Start Directors Association;

35 5. One member who is a teacher in an early childhood education program for children
36 4 years of age that includes coordination of programs and services for eligible children
37 within a public elementary school from a large school administrative unit appointed by
38 the President of the Senate from a list provided by the Maine Education Association;

39 6. One member who is a principal of a public elementary school of an urban school
40 administrative unit that has implemented an early childhood education program for
41 children 4 years of age that includes coordination of programs and services for eligible
42 children appointed by the President of the Senate from a list provided by the Maine
43 Principals' Association;

1 7. One member appointed by the President of the Senate from a list provided by the
2 Maine Developmental Disabilities Council, established in the Maine Revised Statutes,
3 Title 5, section 12004-I, subsection 66;

4 8. One member representing a statewide association of speech, language and hearing
5 therapists appointed by the President of the Senate from a list provided by the Maine
6 Speech Language Hearing Association;

7 9. One member who is a parent of a child with a disability between 3 years of age and
8 5 years of age appointed by the Speaker of the House from a list provided by the Maine
9 Parent Federation;

10 10. One member who is a representative of a child care program appointed by the
11 Speaker of the House from a list provided by the Maine Association for the Education of
12 Young Children;

13 11. One member who is a special education director from a small school
14 administrative unit appointed the Speaker of the House from a list provided by the Maine
15 Administrators of Services for Children with Disabilities;

16 12. One member who is a superintendent of a rural school administrative unit that
17 has implemented an early childhood education program for children 4 years of age that
18 includes coordination of programs and services for eligible children appointed by the
19 Speaker of the House from a list provided by the Maine School Superintendents
20 Association; and

21 13. One member representing a statewide association of occupational therapists
22 appointed by the Speaker of the House from a list provided by the Maine Occupational
23 Therapy Association.

24 The advisory committee shall elect a chair from among its members. The office shall
25 provide to the members of the joint standing committee notice of the meetings of the
26 office with the advisory committee so that members of the joint standing committee may
27 attend.

28 **Sec. VVVV-5. Scope of the review.** The contract entered into pursuant to
29 section 1 must require an objective evaluation of the State's early childhood special
30 education services from birth to 5 years of age. The evaluation must include, but is not
31 limited to, comparisons between this State and other comparable states and an
32 implementation plan for the transition of services from the Child Development Services
33 System under the Maine Revised Statutes, Title 20-A, section 7209 to local school
34 administrative units and must address the following:

35 1. National trends and relevant models of governing and delivering early childhood
36 special education systems in other states and jurisdictions that hold the potential for
37 enhancing the effectiveness, efficiency or accountability of the early childhood special
38 education system in the State;

39 2. The short-term and long-term costs and benefits of the proposed plan to restructure
40 the Child Development Services System as presented to the Legislature in An Act To
41 Reorganize the Provision of Services for Children with Disabilities from Birth to 5 Years
42 of Age, L.D. 1715 from the First Regular Session of the 129th Legislature;

1 3. The impact that the proposed plan will have on the following:

2 A. Current Child Development Services System staff, including but not limited to the
3 potential impact on staff retirement and how any negative impact on staff retirement
4 can be reduced or eliminated and whether Child Development Services System
5 employees would become employees of the local school administrative unit or the
6 State;

7 B. Current school administrative unit staff;

8 C. The provision of services for children birth to 3 years of age; and

9 D. Due process complaints;

10 4. The development of recommendations for an early childhood special education
11 services program plan for the State, which must include, but is not limited to:

12 A. Models of best practices;

13 B. Fiscally sound budget forecasting, including all possible revenue streams and
14 updated costs;

15 C. Transportation services;

16 D. Data systems, including a billing system, a system that allows coordination with
17 the MaineCare program and a case management documentation system;

18 E. A timeline for the implementation of the plan under this section;

19 F. A procedure for data collection and analysis conducted by the Maine Education
20 Policy Research Institute;

21 G. A method for assessing a school administrative unit's capacity for implementing
22 early childhood special education programs;

23 H. Training requirements for service providers and leaders;

24 I. A public information communication strategy for implementation of the plan;

25 J. Identification of potential revisions to the Department of Health and Human
26 Services rule Chapter 101: MaineCare Benefits Manual; and

27 K. Workforce capacity, including but not limited to the availability of certified
28 teachers; and

29 5. A step-by-step implementation plan for the transition of special education services
30 for children from birth to 3 years of age to the Department of Education and a step-by-
31 step implementation plan for the transition of special education services for children 3
32 years of age to 5 years of age to local school administrative units, including but not
33 limited to the resources required, both human and financial, and a detailed timeline.

34 **Sec. VVVV-6. General requirements of the review.** The contract entered into
35 pursuant to section 1 must require:

36 1. A review of previous studies and available data related to early childhood special
37 education, including but not limited to the findings and recommendations of the
38 Subcommittee To Study Early Childhood Special Education in its January 2007 report
39 and the findings and recommendations of the Office of Program Evaluation and
40 Government Accountability in its July 2012 report on child development services; and

Sec. VVVV-7. Preliminary and final reports. The research and technical assistance entity selected to conduct the independent review pursuant to this Part shall present a preliminary report of the results of the review under sections 5 and 6 to the joint standing committee no later than April 1, 2020. The selected research and technical assistance entity shall present a final report to the joint standing committee by December 1, 2020. The joint standing committee of the Legislature having jurisdiction over education matters may submit a bill relating to the final report to the First Regular Session of the 130th Legislature.

Sec. VVVV-9. Transfer from Fund for the Efficient Delivery of Educational Services, Other Special Revenue Funds account; General Fund unappropriated surplus; fiscal year 2019-20. Notwithstanding any provision of law to the contrary, the State Controller shall transfer \$200,000 from the Fund for the Efficient Delivery of Educational Services, Other Special Revenue Funds account within the Department of Education to the General Fund unappropriated surplus no later than July 31, 2019.

Sec. VVVV-10. Transfer from Fund for the Efficient Delivery of Educational Services, Other Special Revenue Funds account; General Fund unappropriated surplus; fiscal year 2020-21. Notwithstanding any provision of law to the contrary, the State Controller shall transfer \$300,000 from the Fund for the Efficient Delivery of Educational Services, Other Special Revenue Funds account within the Department of Education to the General Fund unappropriated surplus no later than July 31, 2020.

Sec. WWW-1. Allocation to fund county and regional jails. The additional one-time funding of \$3,000,000 in fiscal year 2019-20 and \$3,000,000 in fiscal year 2020-21 provided pursuant to Part A of this Act to the Department of Corrections, County Jail Operations Fund for county and regional jails to offset unusually high costs in the jails must be allocated as provided in this section.

A. The amount of \$2,898,761 must be allocated to the following jails in the following manner:

LD 945

**Blue Ribbon Commission To Study
and Recommend Funding Solutions
for the State's Transportation Systems**

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L.D. 945

Date: (Filing No. H-)

TRANSPORTATION

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT “ ” to H.P. 700, L.D. 945, Bill, “An Act To Establish a Blue Ribbon Commission To Study and Recommend Funding Solutions for the State's Transportation Systems”

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

'Resolve, To Establish the Blue Ribbon Commission To Study and Recommend Funding Solutions for the State's Transportation Systems'

Amend the bill by striking out everything after the title and inserting the following:

'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 Blue Ribbon Commission To Study and Recommend Funding Solutions for the State's Transportation Systems; 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, adequate, sustainable and predictable transportation funding is critical to the safety and economic well-being of all the State's citizens; and

Whereas, funding for transportation infrastructure in the State and the nation is seriously lacking; and

Whereas, the shortfall in funding related to the State's state highway and bridge system is at least \$160 million per year, without consideration of general obligation bonding; and

Whereas, general obligation bonding levels are unpredictable due to the current short-term focus of the process that determines bonding levels and priorities, a process that usually takes place late in a legislative session after finalization of the biennial budget, if at all; and

1 **Whereas**, higher fuel efficiency vehicles and alternative fuel vehicles continue to
2 erode the funding provided by per gallon fuel taxes and increases the inequity between
3 drivers in terms of the fee paid per mile for use of the state highway and bridge system;
4 and

5 **Whereas**, fuel prices are relatively low but will likely rise in the years ahead; and

6 **Whereas**, about 37 million people visit the State each year, which has a year-round
7 population of about 1.3 million people, and the capacity and a significant portion of the
8 cost of the State's transportation systems are driven by seasonal traffic volumes that swell
9 due to our valued visitors from away; and

10 **Whereas**, through years of capital planning, prioritization and efficiency initiatives,
11 the Department of Transportation has proven that it uses funding efficiently and
12 effectively and can be trusted to do so with additional funding; and

13 **Whereas**, federal transportation funding is unpredictable, the federal Fixing
14 America's Surface Transportation Act will expire in 2020 and there is no guarantee, in
15 this federal environment, of a stable funding solution in the future; and

16 **Whereas**, other states are finding transportation funding solutions, the State has an
17 obligation to all the State's citizens to seek funding solutions now; and

18 **Whereas**, a bipartisan blue ribbon commission charged with analyzing options and
19 recommending legislation is the best way to reform and supplement transportation
20 funding in Maine; and

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

25 **Sec. 1. Commission established. Resolved:** That the Blue Ribbon
26 Commission To Study and Recommend Funding Solutions for the State's Transportation
27 Systems, referred to in this resolve as "the commission," is established.

28 **Sec. 2. Commission membership. Resolved:** That, notwithstanding Joint
29 Rule 353, the commission consists of 15 members as follows:

30 1. Three members appointed by the President of the Senate, at least one of whom is
31 from the minority party in the Senate, including at least one member of the Joint Standing
32 Committee on Transportation, and at least one member of either the Joint Standing
33 Committee on Appropriations and Financial Affairs or the Joint Standing Committee on
34 Taxation;

35 2. One member appointed by the President of the Senate representing an
36 organization of municipal or public works officials;

37 3. Four members appointed by the Speaker of the House of Representatives, at least
38 one of whom is from the minority party in the House, including at least one member of
39 the Joint Standing Committee on Transportation, and at least one member of either the
40 Joint Standing Committee on Appropriations and Financial Affairs or the Joint Standing
41 Committee on Taxation;

1 4. One member appointed by the Speaker of the House of Representatives
2 representing freight or passenger rail interests;

3 5. One member appointed by the Governor representing an organization advocating
4 for proper maintenance and funding of the State's transportation networks, including
5 construction companies that build and maintain or engineer and design the State's
6 transportation infrastructure;

7 6. One member appointed by the Governor representing an organization advocating
8 for the interests of commercial companies moving bulk goods on the State's road
9 networks;

10 7. One member appointed by the Governor representing an organization advocating
11 for public transportation services;

12 8. One member appointed by the Governor representing bicyclist or pedestrian
13 needs;

14 9. The Commissioner of Transportation, or the commissioner's designee; and

15 10. The Executive Director of the Maine Turnpike Authority, or the director's
16 designee.

17 **Sec. 3. Chairs. Resolved:** That, notwithstanding Joint Rule 353, the first-named
18 Senate member of the Joint Standing Committee on Transportation and the first-named
19 House member of the Joint Standing Committee on Transportation shall serve as cochairs
20 of the commission.

21 **Sec. 4. Appointments; convening of commission. Resolved:** That,
22 notwithstanding Joint Rule 353, all appointments must be made no later than 30 days
23 following the effective date of this resolve. The appointing authorities shall notify the
24 Executive Director of the Legislative Council once all appointments have been
25 completed. After appointment of all members, the chairs shall call and convene the first
26 meeting of the commission. If 30 days or more after the effective date of this resolve a
27 majority of but not all appointments have been made, the chairs may request authority
28 and the Legislative Council may grant authority for the commission to meet and conduct
29 its business.

30 **Sec. 5. Duties. Resolved:** That the commission shall study how to reform and
31 adequately supplement funding for the State's transportation infrastructure to promote
32 equity, sustainability and predictability so that the State can responsibly provide safe and
33 reliable state transportation systems. The commission shall focus on funding the state
34 highway and bridge system and shall also develop findings or recommendations on the
35 need and potential funding solutions for multimodal transportation infrastructure.
36 Specific study topics may include, but are not limited to, the following:

37 1. A review related to the funding levels necessary to achieve the capital
38 improvement plan goals set forth in the Maine Revised Statutes, Title 23, section 73,
39 subsection 7, including anticipated shortfalls for the next 10 years, and a review of
40 whether the capital improvement plan goals set forth in Title 23, section 73, subsection 7
41 are still appropriate and valid;

1 2. Mechanisms to increase the predictability of general obligation bonding levels for
2 capital planning at the Department of Transportation for the state highway and bridge
3 system and multimodal infrastructure for the next 10 years;

4 3. Mechanisms to address the erosion of Highway Fund receipts and the rising
5 inequity between drivers caused by higher automobile fuel efficiency and alternative fuel
6 vehicles such as adding a registration fee surcharge on hybrid, electric or other alternative
7 fuel passenger automobiles;

8 4. A voluntary vehicle miles traveled pilot program for passenger automobiles;

9 5. Methods to more equitably share the costs of the highway system between
10 residents and nonresidents;

11 6. Consideration of new highway tolling opportunities;

12 7. Consideration of dedicating a portion of sales tax receipts from transportation-
13 related sales to fund transportation needs; and

14 8. An increase of state funding for multimodal transportation, including increasing or
15 augmenting the existing funding from the automobile rental sales tax.

16 The commission shall meet up to 6 times over the course of 2019 and shall hold
17 public hearings and review recommendations from the people of the State and qualified
18 experts when appropriate at no fewer than 3 locations throughout the State. The chairs
19 shall also provide the opportunity for knowledgeable stakeholders to submit written
20 comments throughout the study process and to provide oral testimony on the
21 commission's draft recommendations. Knowledgeable stakeholders must include
22 representatives from organizations representing economic development, transportation
23 engineering and construction firms, highway users, the Maine State Chamber of
24 Commerce, municipal and public works organizations, trucking and shipping firms,
25 bicyclists and pedestrians, conservation and environmental professionals and the tourism
26 industry.

27 **Sec. 6. Staff assistance. Resolved:** That, notwithstanding Joint Rule 353, the
28 Legislative Council shall provide necessary staffing services to the commission, except
29 that Legislative Council staff support is not authorized when the Legislature is in regular
30 or special session.

31 **Sec. 7. Report. Resolved:** That, notwithstanding Joint Rule 353, no later than
32 January 3, 2020, the commission shall submit a report that includes its findings and
33 recommendations, including suggested legislation, for presentation to the Joint Standing
34 Committee on Transportation. The Joint Standing Committee on Transportation may
35 submit legislation for presentation to the Second Regular Session of the 129th
36 Legislature.

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

39 **LEGISLATURE**

40 **Study Commissions - Funding 0444**

COMMITTEE AMENDMENT " " to H.P. 700, L.D. 945

1 Initiative: Allocates funds on a one-time basis for the costs to the Legislature of
2 Legislators participating in the work of the Blue Ribbon Commission To Study and
3 Recommend Funding Solutions for the State's Transportation Systems.

4	HIGHWAY FUND	2019-20	2020-21
5	Personal Services	\$1,540	\$0
6	All Other	\$2,210	\$0
7			
8	HIGHWAY FUND TOTAL	\$3,750	\$0

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

11 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
12 section number to read consecutively.

13 **SUMMARY**

14 This amendment replaces the bill with a resolve that establishes the Blue Ribbon
15 Commission To Study and Recommend Funding Solutions for the State's Transportation
16 Systems. The commission has 15 members. It is required to report on its findings to the
17 Joint Standing Committee on Transportation by January 3, 2020.

18 **FISCAL NOTE REQUIRED**

19 (See attached)

LD 764

**Criminal Records
Review Committee**

ROFS

L.D. 764

Date:

(Filing No. H-)

JUDICIARY

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE HOUSE OF REPRESENTATIVES 129TH LEGISLATURE FIRST REGULAR SESSION

COMMITTEE AMENDMENT " " to H.P. 569, L.D. 764, Bill, "An Act To Limit the Dissemination of Certain Criminal Records"

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

'Resolve, To Create the Criminal Records Review Committee'

Amend the bill by striking out everything after the title and inserting the following:

'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 definition of appropriate access to criminal records is evolving as society changes its thinking with regard to sentencing, punishment, rehabilitation and fresh starts; and

Whereas, the treatment of convictions for conduct that is no longer criminal is subject to reevaluation; and

Whereas, the separation of powers concept enshrined in the Constitution of Maine limits the options available for reducing access to criminal records; and

Whereas, the Criminal Records Review Committee is established in this resolve to develop a proposed policy on the appropriate access to criminal records; and

Whereas, the work of the committee must be initiated before the 90-day period expires in order that the work 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. Review committee established. Resolved: That the Criminal Records Review Committee, referred to in this resolve as "the review committee," is established.

ROFS

1 **Sec. 2. Review committee membership. Resolved:** That, notwithstanding
2 Joint Rule 353, the review committee consists of 15 members appointed as follows:

3 1. Two members of the Senate appointed by the President of the Senate, including
4 one member from each of the 2 parties holding the largest number of seats in the
5 Legislature;

6 2. Three members of the House of Representatives appointed by the Speaker of the
7 House of Representatives, including at least one member from each of the 2 parties
8 holding the largest number of seats in the Legislature;

9 3. The Attorney General or the Attorney General's designee;

10 4. The Commissioner of Public Safety or the commissioner's designee;

11 5. The President of the Maine Prosecutors Association or the president's designee;

12 6. The President of the Maine Association of Criminal Defense Lawyers or the
13 president's designee;

14 7. The President of the Maine Sheriffs' Association or the president's designee;

15 8. A representative of a civil rights organization whose primary mission includes the
16 advancement of racial justice, appointed by the President of the Senate;

17 9. A representative of a nonprofit organization whose mission includes advocating
18 for victims and survivors of domestic violence or sexual assault, appointed by the
19 President of the Senate;

20 10. A representative of a civil liberties organization whose primary mission is the
21 protection of civil liberties, appointed by the Speaker of the House of Representatives;
22 and

23 11. A representative of a nonprofit organization whose primary mission is to
24 advocate for victims and survivors of sexual exploitation and sex trafficking, appointed
25 by the Speaker of the House of Representatives.

26 The review committee shall invite the Chief Justice of the Supreme Judicial Court to
27 designate a member of the judicial branch to serve as a member of the committee.

28 **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate
29 chair and the first-named House of Representatives member is the House chair of the
30 review committee.

31 **Sec. 4. Appointments; convening of review committee. Resolved:** That all
32 appointments must be made no later than 30 days following the effective date of this
33 resolve. The appointing authorities shall notify the Executive Director of the Legislative
34 Council once all appointments have been completed. After appointment of all members,
35 the chairs shall call and convene the first meeting of the review committee. If 30 days or
36 more after the effective date of this resolve a majority of but not all appointments have
37 been made, the chairs may request authority and the Legislative Council may grant
38 authority for the review committee to meet and conduct its business.

39 **Sec. 5. Duties. Resolved:** That the review committee shall:

1 1. Review activities in other states that address the expungement of, sealing of and
2 otherwise limiting public access to criminal records;

3 2. Consider whether the following convictions should be subject to different
4 treatment:

5 A. Convictions for conduct that has been decriminalized in this State over the last 10
6 years and conduct that is currently under consideration for decriminalization; and

7 B. Convictions for conduct that was committed by victims and survivors of sexual
8 exploitation and sex trafficking;

9 3. Consider whether there is a time limit after which some or all criminal records
10 should not be publicly available;

11 4. Invite comments and suggestions from interested parties, including but not limited
12 to victim advocates and prison and correctional reform organizations;

13 5. Review existing information about the harms and benefits of making criminal
14 records confidential;

15 6. Invite comments and suggestions concerning the procedures and processes to limit
16 public accessibility of criminal records;

17 7. Consider who, if anyone, should continue to have access to criminal records that
18 are not publicly available; and

19 8. Develop options to manage criminal records.

20 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide
21 necessary staffing services to the review committee, except that Legislative Council staff
22 support is not authorized when the Legislature is in regular or special session.

23 **Sec. 7. Report. Resolved:** That, no later than December 4, 2019, the review
24 committee shall submit to the Joint Standing Committee on Judiciary a report that
25 includes its findings and recommendations, including suggested legislation, for
26 presentation to the Second Regular Session of the 129th Legislature.

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

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

35 **LEGISLATURE**

36 **Study Commissions - Funding 0444**

37 Initiative: Allocates funds for the one-time costs to the Legislature of the Criminal
38 Records Review Committee.

2093

1	OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
2	Personal Services	\$1,100	\$0
3	All Other	\$1,650	\$0
4			
5	OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,750	\$0

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

8 SUMMARY

9 This amendment strikes the bill and replaces it with a resolve that establishes the
10 Criminal Records Review Committee, consisting of 15 members, including a member
11 representing the judicial branch if one is designated by the Chief Justice of the Supreme
12 Judicial Court.

13 The review committee is directed to look at all issues concerning limiting public
14 availability of criminal records and to provide recommendations to the Joint Standing
15 Committee on Judiciary by December 4, 2019. The review committee's funding must
16 come from outside sources. The amendment also adds an appropriations and allocations
17 section.

18 FISCAL NOTE REQUIRED

19 (See attached)

LD 1036

**Task Force to Study the Creation of a
Comprehensive Career and Technical
Education System**

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND NINETEEN

H.P. 766 - L.D. 1036

**Resolve, Establishing a Task Force To Study the Creation of a
Comprehensive Career and Technical Education System and Increased
Crosswalks for Academic Credit between Secondary Schools and Career and
Technical Education Programs**

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 To Study the Creation of a Comprehensive Career and Technical Education System is established pursuant to this legislation to study the feasibility of establishing a comprehensive 4-year high school career and technical education program to provide a technical high school setting for students; 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. Task force established. Resolved: That the Task Force To Study the Creation of a Comprehensive Career and Technical Education System, referred to in this resolve as "the task force," is established.

Sec. 2. Task force membership. Resolved: That, notwithstanding Joint Rule 353, the task force consists of 14 members as follows:

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

A. One member of the Senate who is a member of the Joint Standing Committee on Education and Cultural Affairs;

B. One member who is a current career and technical education high school administrator;

- C. One member who is on the State Board of Education; and
- D. One member who is a principal of a secondary school;
- 2. Four members appointed by the Speaker of the House as follows:
 - A. One member of the House of Representatives who is a member of the Joint Standing Committee on Education and Cultural Affairs;
 - B. One member who is a current career and technical education high school administrator;
 - C. One member who is on the State Board of Education; and
 - D. One member who is a superintendent of a school administrative unit;
- 3. Five members appointed by the Governor as follows:
 - A. One member who is an administrator at a community college;
 - B. One member who is on a local board of education in a Maine community;
 - C. One member who is an officer of the Maine Education Association;
 - D. One member who is a member of a trade union; and
 - E. One member who is an administrator at the University of Maine System; and
- 4. The Commissioner of Education or the commissioner's designee.

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.

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.

Sec. 5. Duties. Resolved: That the task force shall:

- 1. Examine the feasibility of establishing a comprehensive 4-year high school career and technical education program to provide a technical high school setting for middle school students to attend at the completion of the 8th grade, including but not limited to the advantages and disadvantages of a comprehensive 4-year high school career and technical education model, obstacles to implementation of a comprehensive 4-year high school career and technical education model and other models for comprehensive 4-year high school career and technical education that exist around the State and on a national level; and

2. Examine increasing crosswalks and intersections between technical and occupational knowledge and curricula and academic standards in order to promote multiple pathways for awarding content area credit to students enrolled in career and technical education programs, including but not limited to building on prior and current work among the Department of Education, superintendents of school administrative units and career and technical education administrators.

Sec. 6. Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the task force, except that Legislative Council staff support is not authorized when the Legislature is in regular or special session.

Sec. 7. Report. Resolved: That, no later than December 4, 2019, the task force shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 129th Legislature.

Sec. 8. Outside funding. Resolved: That the task force shall seek funding contributions to fully fund the costs of the task force. All funding is subject to approval by the Legislative Council in accordance with its policies. If sufficient contributions to fund the task force 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.

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

LD 1324

**Committee to Study the Feasibility of
Creating Basic Income Security**

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND NINETEEN

S.P. 412 - L.D. 1324

**Resolve, To Establish the Committee To Study the Feasibility of Creating
Basic Income Security**

Sec. 1. Committee established. Resolved: That the Committee To Study the Feasibility of Creating Basic Income Security, referred to in this resolve as "the committee," is established.

Sec. 2. Committee membership. Resolved: That the committee consists of 11 members appointed as follows:

1. Three members of the Senate appointed by the President of the Senate, including a representative of each of the following joint standing committees:

- A. The Joint Standing Committee on Labor and Housing;
- B. The Joint Standing Committee on Health and Human Services; and
- C. The Joint Standing Committee on Taxation;

2. Three members of the House of Representatives appointed by the Speaker of the House, including a representative of each of the following joint standing committees:

- A. The Joint Standing Committee on Labor and Housing;
- B. The Joint Standing Committee on Health and Human Services; and
- C. The Joint Standing Committee on Innovation, Development, Economic Advancement and Business;

3. Two members of the public who represent low-wage workers and recipients of public benefits, appointed by the President of the Senate;

4. One member of the public who represents business and industry, appointed by the Speaker of the House;

5. One member who represents higher education, appointed by the Speaker of the House; and

6. One member who represents a trade union, appointed by the Governor.

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.

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.

Sec. 5. Duties. Resolved: That the committee shall examine and make recommendations on the feasibility of providing basic economic security through a direct cash payment system and other programs that are designed to help individuals and families become more economically secure, including, but not limited to:

1. Tax rebates and credits, including strengthening the earned income tax credit and a negative income tax;
2. Universal basic income and unconditional cash transfers to residents of the State; and
3. Other direct cash benefit programs.

The committee shall also investigate the effectiveness of existing safety net programs, such as tax credit, child care and food supplement programs, and compare those programs to any recommended direct cash payment programs.

In fulfilling its duties under this section, the committee shall as necessary invite input from the Department of Administrative and Financial Services, Bureau of Revenue Services and from the Governor's Office of Policy and Management.

Sec. 6. Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the committee, except that Legislative Council staff support is not authorized when the Legislature is in regular or special session.

Sec. 7. Report. Resolved: That, no later than November 4, 2020, the committee shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the First Regular Session of the 130th Legislature.

Sec. 8. Outside funding. Resolved: That the committee 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.