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REP. RACHEL TALBOT ROSS VICE-CHAIR

EXECUTIVE DIRECTOR SUZANNE M. GRESSER



131st MAINE STATE LEGISLATURE LEGISLATIVE COUNCIL

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- TO: Troy Jackson, Chair, Legislative Council Rachel Talbot Ross, Vice-Chair, Legislative Council Members of the Legislative Council
- FROM: Suzanne M. Gresser, Executive Director
- **DATE:** April 30, 2024
- **RE:** Consideration of Proposed Legislative Studies

The Legislative Council will meet on Tuesday, April 30, 2024 at 1:00 pm to consider proposed legislative studies. There are 22 studies listed on the Studies Summary spreadsheet included in your study table packet.

Historically, when evaluating items that have been placed on the Special Study Table, Legislative Councils have considered the number of proposed studies on the Study Table; the funds available for proposed studies; the timing of proposed studies; and staff resources. For your convenience, below is a bullet-point summary of those elements.

Studies on the Study Table

- Of the 22 studies listed on the Studies Summary spreadsheet, 4 studies have already been authorized as a result of being enacted into law in either the First Special Session or the Second Regular Session.
 - See page 1 for LDs 915, 1622, 1995 (PL 2021, c. 635, Part XX), and 2214 (PL 2023, c. 643, Part N);
- Of the 18 proposed new studies, 9 are proposed as emergency measures; and
- Of the 18 proposed new studies, 1 is proposed an as ongoing statutory commission.
 See page 7 for LD 2252

Budget Resources

The projected costs for proposed studies to be funded from the General Fund Miscellaneous Studies Budget exceeds the funds available.

• The available balance is \$31,065 (\$52,169 less \$21,104 for studies already authorized for FY 24 and FY 25)

Staff Resources

Of the 18 proposed new studies, 14 direct the Legislative Council to provide staffing. Generally, each study is assigned at least 2 OPLA analysts. Factoring in current and pending vacancies in OPLA, staff resources would not be sufficient to support the number of studies that were approved for the last 2 interims (11 total studies in 2022 and 10 in 2024). Prior to 2022, the typical number of total studies staffed by OPLA was 7 or less (which included on-going studies like the Right to Know Advisory Commission).

Other special considerations

Two of the proposed studies authorize submission of a report to a subsequent Legislature, which requires a 2/3 vote of the Council for approval, pursuant to the Legislative Council Policy on Legislative Studies for the 131st Legislature. These proposed studies are:

• LD 1787 on page 3, and LD 2285 on page 6.

In addition to the Studies Summary spreadsheet listing the proposed studies, your packet also includes:

- A suggested protocol for considering the proposed studies;
- A copy of the Summary of Projected Costs for Proposed Studies;
- A copy of *Joint Rule 353* regarding the legislative studies (see subsection 10 for reference to the study table); and
- A copy of the Legislative Council Policy on Legislative Studies.
- Copies of the engrossed version (or the latest version available) of the bill, resolve or joint order that would authorize each study.

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LD (or other)	Emergency/Non- Emergency	Current Status	Policy Area	Study Name	Purpose		Membership	Report Date(s)	Staff	Jt. Rule and Council Policies	Compensation and # mtgs.	FY 2024	FY 2025	FY 2026	FY 2027
Proposed Stuc LD 1304	dies to be Funde Emergency	d from the Gene On Senate Study Table (Passed to be Engrossed with Committee "A" in Senate; Engrossed with Committee "A" in House; failed final passage in House; in non- concurrence)	eral Fund 1 HHS	Miscellaneous Studies Budg Task Force to Study Barriers to Achieving Behavioral Health Integration and Parity	Study barriers experienced by providers in attempting to deliver behavioral health	Legis: Sen: House: Chairs:	13 7 3 (1 each maj. party) 4 (1 each maj. party) First-named Senator and Representative	December 6, 2023 to HHS Committee and HCIFS Committee		Non-conforming *Non-emergency *Membership - majority of members are not legislators (4 of 13)	Legislative per diem and expenses; 4 meetings	\$ 5,150			
LD 1409	Emergency	On Senate Study Table (Passed to be Engrossed with Committee "A" in Senate; Finally Passed with Committee "A" in House)	SLG		Determine an equitable method to provide reimbursement to a governmental entity for training and credentialing costs incurred by the governmental entity for a first responder who ends service with the governmental entity soon after receiving the training and credentialing.	Legis:	18 4 2 (1 each maj. party) 2 (1 each maj. party) First-named Senator and Representative	December 1, 2024 to SLG Committee	Legislative Council (not during regular or special sessions)	Non-conforming *Membership - majority of members are not legislators (4 of 18) *Report date	Legislative per diem and expenses; 4 meetings	\$ 1,400	\$ 1,650		
LD 1710	Non-Emergency	On Senate Study Table (Passed to be Engrossed with Committee "A" in Senate; Finally Passed with Committee "A" in House)	HOU	Commission to Improve Tenant- Landlord Relationships and Maximize the Use of Housing Vouchers	Examine issues relating to housing discrimination based on the use of income- based rental assistance and incentivizing landlords to rent to tenants who rely on income-based rental assistance such as housing vouchers and municipal general assistance.	TOTAL: Legis: Sen: House: Chairs:	14 5 2 (1 each maj. party) 3 (1 each maj. party) First-named Senator and Representative	November 6, 2024 to HOU Committee		Conforms with Jt. Rule 353 *Non-emergency *Membership - majority of members are not legislators (5 of 14)	Legislative per diem and expenses; 4 meetings		\$ 3,750		

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LD (or other)	Emergency/Non- Emergency	Current Status	Policy Are	ea Study Name	Purpose		Membership	Report Date(s)	Staff	Jt. Rule and Council Policies	Compensation and # mtgs.	FY 2024	FY 2025	FY 2026	FY 2027
LD 1787	Non-Emergency	On Senate Special Appropriations Table (Passed to be Engrossed in Senate with Committee "A" and Finally Passed in House with Committee "A")	HOU	DACF Stakeholder Group to Overhaul and Modernize the State Subdivision Statutes	Review subdivision laws in the Maine Revised Statutes, Title 12, chapter 206-A, Title 30-A, chapter 187, subchapter 4 and Title 38, chapter 3, subchapter 1, article 6 and recommend a comprehensive overhaul and modernization of the subdivision laws that promotes development in growth areas; reduces development pressure in rural areas; protects public health, safety and welfare; advances state goals to produce affordable housing; and streamlines the development review process.	TOTAL: Legis: Sen: House: Chairs:	11 2 1 Not specified	December 6, 2025 to ACF Committee, SLG Committee and ENR Committee	DACF staff	Non-conforming *Non-emergency *Membership - legislators are members of a non-legislative commission, staffed by an executive department *Report date - report due during 132nd Legislature (requires 2/3 vote of council)	Legislative per diem and expenses; 4 meetings		\$1,400 *Also requires appropriation of \$36,000	\$ 1,400	
LD 1794	Non-Emergency	On Senate Study Table (Passed to be Engrossed with Committee "A" in Senate; Finally Passed with Committee "A" in House)	LBHS	Commission on Predictability of Mandated Overtime for Pulp or Paper Manufacturing Facility Employees	Examine the current levels of mandatory overtime at pulp or paper manufacturing facilities in the State with 50 or more employees and the impact of the use of mandatory overtime on workplace and public safety, employee morale and the ability of pulp or paper manufacturing facilities to hire employees.		15 8 4 (2 each maj. party) 4 (2 each maj. party) First-named Senator and Representative	November 6, 2024 to LBHS Committee	Legislative Council (not during regular or special sessions)	Conforms with Jt. Rule 353	Legislative per diem and expenses; 4 meetings, including up to 2 public hearings		\$ 5,850		
LD 1827	Emergency	On Senate Study Table (Passed to be Engrossed with Committee "A" in Senate; Finally Passed with Committee "A" in House)	HHS	Blue Ribbon Commission to Make Recommendations on the Continuum of Long-term Care Options	options for individuals in need of residential supports, including but not limited to long-term care, assisted living facilities and other licensed residential options, and make recommendations to the	Chairs:	13 2 1 (from HHS Committee) 1 (from HHS committee) Senator and Representative	November 6, 2024 to HHS Committee	Legislative Council (not during regular or special sessions)	Non-conforming *Membership - majority of members are not legislators (2 of 13)	Legislative per diem and expenses; 4 meetings	\$ 700	\$ 950		

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LD (or other)	Emergency/Non- Emergency	Current Status	Policy Area	Study Name	Purpose		Membership	Report Date(s)	Staff	Jt. Rule and Council Policies	Compensation and # mtgs.	FY 2024	FY 2025	FY 2026	FY 2027
LD 1914	Non-Emergency	On Senate Study Table (Passed to be Engrossed with Committee "A" in Senate; Finally Passed with Committee "A" in House)	VLA	Commission to Study Pathways for Creating a Psilocybin Services Program in Maine	Review available medical, psychological and scientific studies, research and other information on the safety and efficacy of psilocybin in treating behavioral health conditions, including, but not limited to, substance use disorder, depression, anxiety disorders and end-of-life psychological distress, determine the steps the State would need to take in order to establish and maintain a legal framework for the therapeutic use of psychedleic drugs; and develop along-term strategic plan for creating a psilocybin services program and for ensuring that psilocybin services become and remain a safe, accessible and affordable therapeutic option for all persons who are 21 years of age or older and for whom psilocybin service may be appropriate.	TOTAL: Legis: Sen: House: Chairs:	13 4 2 (1 each maj. party) 2 (1 each maj. party) First-named Senator and Representative	November 6, 2924 to VLA Committee and HHS Committees	Legislative Council (not during regular or special sessions)	Non-conforming *Non-emergency *Membership - more than 13 members; majority of members are not legislators (4 of 13)	Legislative per diem and expenses; 6 meetings		\$ 4,450		
LD 1975	Emergency	On Senate Study Table (Passed to be Engrossed with Committee "A" in Senate; Finally Passed with Committee "A" in House)	HHS	Task Force to Study Changes to the Legal Status of Scheduled Drugs	Review activities in other states and scholarly research on the decriminalization or the increase in legal possession limits of scheduled drugs; consider the impact of decriminalizing or increasing legal possession limits of scheduled drugs on public health and safety, criminal justice system, access to substance use disorder treatment and child welfare and the incidence of domestic violence; and consider how deflection and diversion from the criminal justice system of individuals with substance use disorder impacts the short-term and long-term outcomes of these individuals.	TOTAL: Legis: Sen: House: Chairs:	16 4 2 (1 each maj. Party) 2 (1 each maj. Party) First-named Senator and Representative	November 6, 2024 to CJPS Committee and HHS Committees	Legislative Council (not during regular or special sessions)	Non-conforming *Membership - more than 13 members; majority of members are not legislators (4 of 16)	Legislative per diem and expenses; 4 meetings	\$ 1,400	\$ 1,650		
LD 2077	Non-Emergency	On Senate Study Table (Passed to be Engrossed with Committee "A" in Senate; Finally Passed with Committee "A" in House)	EUT	Commission to Study the Establishment of a Just and Equitable Transition for Maine's Workforce Impacted by State Energy Policies and Goals	Review and evaluate the State's current energy workforce, including compensation levels and benefits that are provided for the workers in the energy industry and consider the current workforce demands of the State's energy industry and how best to meet the needs of energy consumers.		13 2 1 Senator and Representative	December 4, 2024 to EUT Committee and LBHS Committees	Legislative Council (not during regular or special sessions)	Non-conforming *Non-emergency *Membership - majority of members are not legislators (2 of 13)	Legislative per diem and expenses; 4 meetings		\$ 1,650		

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LD (or other)	Emergency/Non- Emergency	Current Status	Policy Are	a Study Name	Purpose		Membership	Report Date(s)	Staff	Jt. Rule and Council Policies	Compensation and # mtgs.	FY 2024	FY 2025	FY 2026	FY 2027
LD 2092		On Senate Special Appropriations Table (Passed to be Engrossed in Senate with Committee "A" and Finally Passed in House with Committee "A")	EDU	Commission to Study the Funding of Institutions of Higher Education	Review all related laws and rules addressing the State's public policy on higher education and the methods and mechanisms by which public higher education institutions in the State are funded and make recommendations for potential changes, including analyzing future and present goals, including expanding access to affordable high-quality higher education to help students achieve postsecondary success in the 21st century.	TOTAL: Legis: Sen: House: Chairs:	17 5 2 (1 each maj. party) 3 (1 each maj. party) First-named Senator and Representative	November 6, 2024 to the EDU Committee	Legislative Council (not during regular or special sessions) DOE, UMS, MCCC and MMA to provide any data and information the commission requests	Non-conforming *Non-emergency *Membership - more than 13 members; majority of members are not legislators (5 of 17)	Legislative per diem and expenses; 4 meetings		\$ 3,750		
LD 2119	Non-Emergency	On Senate Study Table (Passed to be Engrossed with Committee "A" in Senate; Finally Passed with Committee "A" in House)	JUD	Task Force to Study the Creation of a System to Allow for the Voluntary Waiver of Firearm Rights	Study the feasibility of establishing a system of voluntary waiver of firearm rights in the State.	TOTAL: Legis: Sen: House: Chairs:	13 4 2 (1 each maj. party) 2 (1 each maj. party) First-named Senator and Representative	November 6, 2024 to JUD Committee	Legislative Council (not during regular or special sessions)	Non-conforming *Non-emergency *Membership - majority of members are not legislators (4 of 13)	Legislative per diem and expenses; 4 meetings		\$ 3,050		
LD 2240	Emergency	On Senate Study Table (Passed to be Engrossed with Committee "A" in Senate; Finally Passed with Committee "A" in House)	JUD	Commission to Recommend Methods for Preventing Deed Fraud in the State	Study options for preventing deed fraud and recomposing the victims of deed fraud.	TOTAL: Legis: Sen: House: Chairs:	13 5 2 (1 each maj. party) 3 (2 from party holding most seats in the Legislature; 1 from party holding second largest number of seats in the Legislature) First-named Senator and Representative	November 6, 2024 to JUD Committee	Legislative Council (not during regular or special sessions)	Non-conforming *Membership - majority of members are not legislators (5 of 13)	Legislative per diem and expenses; 4 meetings	\$ 1,750	\$ 2,000		
LD 2255	Emergency	On Senate Study Table (Passed to be Engrossed with Committee "A" in Senate; Finally Passed with Committee "A" in House)	HHS	Task Force on Accessibility to Appropriate Communication Methods for Deaf and Heard-of- hearing Patients (reestablishes prior commission)	Study accessibility to appropriate communication methods for deaf and hard- of-hearing patients in health care settings and how that accessibility may be improved.	TOTAL: Legis: Sen: House: Chairs:	13 4 2 (1 each maj. party) 2 (1 each maj. party) First-named Senator and Representative	November 6, 2024 to HHS Committee	Legislative Council (not during regular or special sessions)	Non-conforming *Membership - majority of members are not legislators (4 of 13)	Legislative per diem and expenses; 4 meetings	\$ 2,520	\$ 2,770		

							Does it Conform to F	Rules and Council Pol	icy?						
LD (or other)	Emergency/Non- Emergency	- Current Status	Policy Area	Study Name	Purpose		Membership	Report Date(s)	Staff	Jt. Rule and Council Policies	Compensation and # mtgs.	FY 2024	FY 2025	FY 2026	FY 2027
LD 2274	Emergency	On Senate Study Table (Passed to be Engrossed with Committee "A" in Senate; Enacted with Committee "A" in House)		Gagetown Harmful Chemical Study Commission (reestablishes prior commission)	chemicals on individuals who trained at the Canadian military support base in	Legis: Sen: House: Chairs:	12 4 2 (1 each maj. party) 2 (1 each maj. party) First-named Senator and Representative	November 6, 2024 to VLA Committee	Legislative Council (not during regular or special sessions)	Conforms with Jt. Rule 353	Legislative per diem and expenses; 4 meetings	\$ 1,400	\$ 1,650		
LD 2285	Emergency	On Senate Study Table (Passed to be Engrossed with Committee "A" in Senate; Engrossed with Committee "A" in House; failed final passage in House; in non- concurrence)		Commission to Study School Construction Policy and Funding	determine the scope of local construction needs throughout the State and make	TOTAL: Legis: Sen: House: Chairs:	16 4 2 (1 each maj. party) 2 (1 each maj. party) Commissioner of Education or their designee	April 1, 2025 to EDU Committee	Education to provide staffing with the Maine	Non-conforming *Membership - majority of members are not legislators (4 of 16) *Membership - Legislators are members of a Department study chaired by a commissioner *Report date - report due during 132nd Legislature (requires 2/3 vote of council)	meetings	\$ 1,400	\$ 4,200		

Proposed Studies Requiring a General Fund Appropriation to the General Fund Legislative Account (yellow tab)

LD 1515	Emergency	On Senate Special	CJPS	Maine Emergency Medical	Monitor and evaluate the State's emergency	TOTAL:	26	Annually by January 1	May employ	*Establishes an on-going Title 5	Legislative per diem	\$2,100	\$ 3,540 \$	3,540 \$	\$ 3,540
		Appropriations		Service Commission	medical services system and to provide	Legis:	6	beginning January 1,	staff, if resources	commission	and expenses; at least				
		Table (Passed to		(creates an on-going Title 5	recommendations to the appropriate state	Sen:	3 (at least 1 each maj.	2025 to the Governor	are available		1 meeting quarterly				
		be Engrossed in		commission)	agencies and to the Legislature regarding		party)	and the CJPS							
		Senate with			necessary changes in the emergency	House:	3 (at least 1 each maj.	Committee				*commission			
		Committee "A";			medical services system.		party)					may seek, accept			
		Passed to be				Chairs:	Commission members					and expend			
		Enacted in House					select					outside funding			
		with Committee													
		"A")													

LD (or other)	Emergency/Non-	Current Status	Policy Area	Study Name	Purpose		Membership	Report Date(s)	Staff	Jt. Rule and Council Policies	Compensation and #	FY 2024	FY 2025	FY 2026	FY 2027
	Emergency										mtgs.				
LD 2252	Non-Emergency	On Senate Special	JUD	Criminal Records Review	Review laws, rules and procedures	TOTAL:	29	May submit	No staff	Establishes an on-going Title 5	Legislative per diem		\$3,500	\$ 3,540	\$ 3,581
		Appropriations		Commission	pertaining to criminal history record	Legis:	4	legislation to the	designated; may	commission	and expenses; public				
		Table (Passed to		(Title 5 on-going commission);	information in this State.	Sen:	2 (1 each maj. party)	Legislature at the start	consult with	*Staffing - no staff designated	members may receive		*May seek		
		be Engrossed in		Effective 1/1/2025		House:	2 (1 each maj. party)	of each regular	representatives of	*Membership - Majority of members are	legislative per diem;		outside funding		
		Senate with				Chairs:	First-named Senator	session	the executive and	not legislators (4 out of 29)	up to 4 meetings per		to partially or full		
		Committee "A";					and Representative		judicial branches	*Funding - may seek outside funding to	month		fund		
		Passed to be							and public	partially or fully fund the commission			commission,		
		Enacted in House							interests				including		
		with Committee							organizations				staffing		
		"A")													
						1									

Proposed Studies to be Funded from Outside Funding Resources (orange tab)

110posed St													
LD 1990	Non-Emergency	On Senate Study	HCIFS	Commission to Evaluate the	Conduct a holistic evaluation of the process	TOTAL:	17	November 6, 2024 to	Legislative	Non-conforming	Legislative per diem	\$3750	
		Table		Requirements for Licensing of	of social work licensure for licensed master	Legis:	5	the HCIFS Committee	Council (not	*Non-emergency	and expenses; 4		
		(Passed to be		Social Workers	social workers, licensed clinical social	Sen:	2 (1 each maj. party)		during regular or	*Membership - more than 13 members;	meetings	May apply for	
		Engrossed with			workers and licensed social workers,	House:	3 (1 each maj. party)		special sessions)	majority of members are not legislators		and receive	
		Committee "A" in			including an evaluation of any disparities	Chairs:	First-named Senator			(5 of 17)		funds, grants or	
		Senate; Finally			based on race, age or disability in the		and Representative			*Funding - may apply for and receive		contracts from	
		Passed with			licensure process.					funds, grants or contracts from public		public and	
		Committee "A" in								and private sources		private sources	
		House)											

Additional Legislative Staff Resources Needed for Interim Work:

Right to Know Advisory Committee	1 MRSA §411	Legislative Council Staff
State Education and Employment Outcomes Task Force	20-A MRSA, Chapter 437	Legislative Council Staff
State Compensation Commission	3 MRSA §2-B	Legislative Council Staff *Appointments not made for 2024

Current Requests for Interim Committee Meetings

VLA Committee	6 meetings
VER Committee	requested