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Date: (Filing No. S- )

**STATE AND LOCAL GOVERNMENT**

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

**STATE OF MAINE  
SENATE  
130TH LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 341, L.D. 1073, “Resolve, Establishing the Commission To Research Effective Strategies and Efficiencies of Legislatures”

Amend the resolve 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 effective and efficient functioning of the Legislature is essential to the health, safety and welfare of the citizens and the economy of the State; and

**Whereas,** the early adjournment of the 129th Legislature and the significant adjustments to the operation of the 130th Legislature required in response to the novel coronavirus disease 2019, referred to as COVID-19, provide the Legislature with new information and a unique opportunity to reevaluate the procedures, policies and practices that have historically governed the operation of the Legislature; and

**Whereas,** the passage of time will dilute the usefulness of this new information and will result in missed opportunities to improve the functioning of the Legislature; 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 Research Effective Strategies and Efficiencies of Legislatures, referred to in this resolve as "the commission," is established.

**Sec. 2. Commission membership. Resolved:** That, notwithstanding Joint Rule 353, the commission consists of 16 members appointed as follows:

- 1. Four members of the Senate appointed by the President of the Senate, 2 members from the party holding the largest number of seats in the Legislature and 2 from the party holding the 2nd largest number of seats in the Legislature;

**COMMITTEE AMENDMENT**

1           2. Four members of the House of Representatives appointed by the Speaker of the  
2 House of Representatives, 2 members from the party holding the largest number of seats in  
3 the Legislature and 2 members from the party holding the 2nd largest number of seats in  
4 the Legislature;

5           3. One member of the Legislature without a party affiliation appointed by the Speaker  
6 of the House of Representatives;

7           4. One member of a federally recognized Indian nation, tribe or band in the State  
8 appointed by the Governor. The appointment of the member of a federally recognized  
9 Indian nation, tribe or band in the State must be based on the unanimous joint  
10 recommendation of the tribal governments of the Aroostook Band of Micmacs, the Houlton  
11 Band of Maliseet Indians, the Passamaquoddy Tribe at Motahkomikuk, the  
12 Passamaquoddy Tribe at Sipayik and the Penobscot Nation to the Governor, except that, if  
13 the tribal governments do not make a unanimous joint recommendation within 20 days of  
14 the effective date of this resolve, the Governor shall appoint a member of a federally  
15 recognized Indian nation, tribe or band in the State and rotate the appointment among  
16 members of each federally recognized Indian nation, tribe or band in the State;

17           5. One member appointed by the Governor to represent the executive branch;

18           6. One member appointed by the Chief Justice of the Supreme Judicial Court to  
19 represent the judicial branch; and

20           7. Four members of the public, one appointed by the President of the Senate from the  
21 party holding the largest number of seats in the Senate, one appointed by the Speaker of  
22 the House of Representatives from the party holding the largest number of seats in the  
23 House of Representatives, one appointed by the President of the Senate from the party  
24 holding the 2nd largest number of seats in the Senate based on the recommendation of the  
25 floor leader of that party and one appointed by the Speaker of the House of Representatives  
26 from the party holding the 2nd largest number of seats in the House of Representatives  
27 based on the recommendation of the floor leader of that party.

28           **Sec. 3. Chairs. Resolved:** That the first-named Senate member and the first-named  
29 House of Representatives member shall serve as cochairs of the commission.

30           **Sec. 4. Appointments; convening of commission; number of meetings.**  
31 **Resolved:** That all appointments must be made no later than 30 days following the  
32 effective date of this resolve. The appointing authorities shall notify the Executive Director  
33 of the Legislative Council once all appointments have been completed. After appointment  
34 of all members, the cochairs shall call and convene the first meeting of the commission. If  
35 30 days or more after the effective date of this resolve a majority of but not all appointments  
36 have been made, the cochairs may request authority and the Legislative Council may grant  
37 authority for the commission to meet and conduct its business. Notwithstanding Joint Rule  
38 353, the commission shall meet at least 10 times and shall allow for remote participation  
39 by residents of the State.

40           **Sec. 5. Duties. Resolved:** That the commission shall examine the operations of the  
41 Legislature including:

- 42           1. The overall structure of the Legislature, including the number of Legislators;  
43           2. The operation and role of the Legislative Council;

1 3. The process for allowing the introduction of bills and the number of bills in a  
2 legislative session and in a legislative biennium;

3 4. The structure of joint standing committees;

4 5. The budget process;

5 6. Transparency of the legislative process and physical access to the legislative spaces;

6 7. Technological efficiencies and remote access and participation, including a review  
7 of the process changes made in response to COVID-19;

8 8. Legislator term limits; and

9 9. The citizen nature of the Legislature, including the length of the legislative session  
10 and the legislative pay structure.

11 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide  
12 necessary staffing services to the commission.

13 **Sec. 7. Report. Resolved:** That, notwithstanding Joint Rule 353, the commission  
14 shall submit a report, no later than February 15, 2022, that includes its findings and  
15 recommendations, including suggested legislation, to the Joint Standing Committee on  
16 State and Local Government. The committee may submit a bill based upon the report to  
17 the Second Regular Session of the 130th Legislature.

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

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

22 **SUMMARY**

23 This amendment replaces the resolve. It establishes the Commission To Research  
24 Effective Strategies and Efficiencies of Legislatures. The commission, made up of 16  
25 members, must submit a report to the Joint Standing Committee on State and Local  
26 Government by February 15, 2022. The committee may submit a bill based on the report.

27 **FISCAL NOTE REQUIRED**

28 **(See attached)**