

**ORIENTATION FOR
COMMITTEE CHAIRS
& COMMITTEE LEADS**

**128TH MAINE LEGISLATURE
MONDAY, JANUARY 9, 2017**


**MARION R. HYLAN BARR, DIRECTOR
OFFICE OF POLICY & LEGAL ANALYSIS**

COMMITTEE ROLE IN THE LEGISLATIVE PROCESS




WHY DO WE HAVE COMMITTEES?



- **Develop and refine legislation**
 - **Provide forum for members to discuss issues**
 - **Provide process for members to gain expertise**
 - **Provide process for public participation**
- 


WHAT DO COMMITTEES DO?



- **BILLS**
 - **BUDGETS** (Joint Rule 314)
 - **PROGRAM EVALUATION AND OVERSIGHT**
 - *Government Evaluation Act (GEA) (3 MRSA §§951-963)
 - *Major Substantive Rules (5 MRSA, c. 375, subc. 2-A)
 - **LEGISLATIVE STUDIES**
 - **POLICY ISSUES/EMERGENCIES**
 - **CONFIRMATION HEARINGS**
- 

GETTING STARTED

- Set date for committee orientation
- Set bill drafting and other committee priorities
 - ▶ bills are drafted and printed throughout session
 - ▶ list of public bill titles to help prioritize/group

- **Review list of reports and repealers**
 - ▶ reports due to committee
 - ▶ “sunsets” that will take effect
 - **Develop schedule/calendar and advertise**
 - **Voting deadlines and status reports**
 - ▶ POs set voting deadlines (e.g., 60% voted, 100% voted, 100% reported out)
 - ▶ regular reports of committee status shared with POs
- 

FLOW OF LEGISLATION THROUGH THE COMMITTEE

[Flow of bills.doc](#)

(see Appendix)



SPECIAL REVIEW PROCESSES

- **FREEDOM OF ACCESS ACT** - public records exception review
(1 MRSA §434)
- **FUND FOR A HEALTHY MAINE** - review provisions affecting the Fund for a Healthy Maine (22 MRSA §1511, sub-§14 and JR 317)
- **JUDICIAL PROCEEDING PRIORITIES** - review judicial proceeding priorities (JR 318)
- **NEW CRIMES AND INCREASED PENALTIES** - review provisions creating or enhancing criminal penalties (JR 319)

Special Review Processes of Committees.docx (see Appendix)

OVERSIGHT OF STATE AGENCIES AND BOARDS

- **GOVERNMENT EVALUATION ACT REVIEWS (GEA)**

(3 MRSA §§951-963) [GEA.docx](#) (see Appendix)

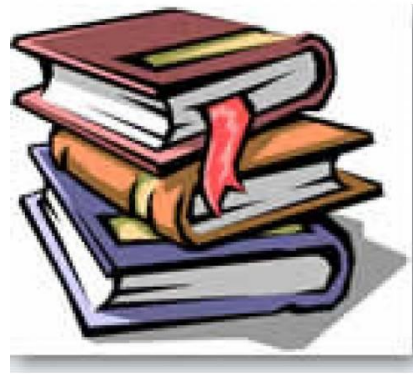
- **MAJOR SUBSTANTIVE RULES REVIEWS**

(5 MRSA c. 375, subc. 2-A) [Agency Rules.docx](#) (see Appendix)

- **OPEGA REVIEWS**

<http://legislature.maine.gov/opega/request-for-a-review/9157>

COMMITTEE CHAIR GUIDANCE AND PROCEDURES



- **FREEDOM OF ACCESS ACT AND PUBLIC RECORDS; EXECUTIVE SESSIONS**

- ▶ defines “public proceedings”
- ▶ sets guidelines for public access to meetings and public records
- ▶ defines guidelines for process of going into executive sessions

[128th FOA for legislators.docx](#); [128th Confidentiality.docx](#) (see Appendix)

- **MODEL COMMITTEE RULES OF PROCEDURE**

- ▶ incorporate much of Part 3 of Joint Rules governing joint standing committees and procedures for their work
- ▶ committee decorum
- ▶ use of committee rooms

[model committee rules for 128th.doc](#) (see Appendix)

- **JOINT RULES**

- ▶ establish number and names of joint standing committees and their responsibilities
- ▶ establish guidelines for voting and for public hearings and work sessions



- **CHAIRS' GUIDELINES FOR CONDUCTING PUBLIC HEARINGS AND WORK SESSIONS**
 - [suggested public hearing guidelines for chairs.doc](#) (see Appendix)
 - [suggested work session guidelines for chairs.doc](#) (see Appendix)
- **COMMITTEE DEADLINES SET BY PRESIDING OFFICERS**
- **LEGISLATIVE STUDIES – LEGISLATIVE COUNCIL POLICY AND JOINT RULE 353**
 - https://legislature.maine.gov/house/jr_frame.htm
- **REQUESTS FOR EXCEPTIONS TO HEARING NOTICES, DEADLINES AND OFF-SITE MEETINGS**

COMMITTEE STAFF

OPLA provides policy and legal research and analysis, bill and amendment drafting and committee staffing services to the Maine Legislature, its committees and its members in a responsive, professional and nonpartisan manner.




Here to help

WHO WE ARE

23 OPLA staff, including 15 analysts who provide staff support to all of the joint standing committees except for the AFA and TAX Committees

<http://www.maine.gov/legis/opla/legis2.htm>

ROLE AND SERVICES INCLUDE:

- Assist in the scheduling of committee work;
 - Conduct impartial policy and legal research and analysis and assist the committee with its consideration of legislation;
 - Prepare and draft committee papers (committee bills, amendments, reports), whether unanimous, majority or minority; and
 - Provide assistance in review of major substantive rules, of agencies under the Government Evaluation Act (GEA) and of agency budgets.
- 

OTHER SERVICES INCLUDE:

- Assist legislators with information requests, including preparing general legal and policy background materials;
- Conduct approved interim staff studies (nonpartisan research and analysis);
- Provide professional staff services to interim legislative studies, including nonpartisan research and analysis, scheduling and report preparation;
- Assist the Revisor of Statutes in drafting legislative bill requests; and
- Prepare and present committee status reports to legislative leadership.

<http://www.maine.gov/legis/opla/128thOPLAOverview.pdf>

OFFICE OF POLICY & LEGAL ANALYSIS

ROOM 215 CROSS OFFICE BUILDING

13 STATE HOUSE STATION

AUGUSTA, MAINE 04333

287-1670

<http://legislature.maine.gov/opla/>

Marion Hylan Barr, Director

marion.hylanbarr@legislature.maine.gov