

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

## Joint Order Proposing an Amendment to the Joint Rules Regarding Fiscal Notes

**ORDERED**, the House concurring, that the Joint Rules be amended by amending Joint Rule 312 to read:

### **Rule 312. Fiscal Notes.**

**1. Fiscal note required.** Every bill or resolve that affects state revenues, appropriations or allocations or that requires a local unit of government to expand or modify that unit's activities so as to necessitate additional expenditures from local revenues and that has a committee recommendation other than "Leave to Withdraw," "Ought Not to Pass" or "Referral to Another Committee" must include a fiscal note prepared by the Office of Fiscal and Program Review. For a bill or resolve not yet reported out and upon request of a majority of the committee, the Office of Fiscal and Program Review shall, after notice by the committee to the sponsor of the bill or resolve, meet with the committee at a work session to present its analysis and provide copies of the written public materials relied upon by the office to prepare that fiscal note. The committee clerk shall provide the Office of Fiscal and Program Review with a copy of all testimony and other materials received by the committee on a bill or resolve whenever the committee recommendation is other than "Leave to Withdraw," unanimous "Ought Not to Pass" or unanimous "Referral to Another Committee." The fiscal note must accompany the committee report before it is reported out of committee. Any amendment introduced that would affect the fiscal impact of the original bill must also include a fiscal note. The Office of Fiscal and Program Review has the sole responsibility for preparing all fiscal notes.

If a sponsor of a bill disagrees with the fiscal note prepared pursuant to this rule, the Office of Fiscal and Program Review shall indicate that the sponsor disagrees with the fiscal note and shall delineate the reasons for the sponsor's disagreement.

**2. Preparation of fiscal notes.** If, in its preparation of the fiscal note required under this rule, the Office of Fiscal and Program Review receives fiscal information from a state agency, consultant, lobbyist, lobbying organization or other outside entity, the office shall notify the sponsor of the bill of the receipt of the information and shall provide to the sponsor an opportunity to review the information. The sponsor of a bill may meet with the office and source of the information to review the information; if the sponsor is unable to schedule such a meeting, the office shall provide to the sponsor any notes relating to such a meeting between the office and the source of the information.

Prior to issuing a fiscal note pursuant to this rule, the Office of Fiscal and Program Review shall meet with the sponsor of a bill to discuss the draft fiscal note and to inform the sponsor of:

- A. The assumptions upon which the fiscal note is based;
- B. Amounts and sources of revenues, if any, expected to be generated by the bill;

C. Amounts and sources of savings, if any, expected to be generated by the bill;

D. Amounts and sources of costs or revenue losses, or both, expected to be associated with the bill;

E. Amounts and sources of costs or savings resulting from increased or reduced federal funds expected to result from the bill, including increases or reductions in employment, salaries or tax revenues; and

F. Any other information relevant to the preparation of the fiscal note.

After meeting with the Office of Fiscal and Program Review, the sponsor has 2 working days to prepare a proposed committee amendment for submission to the joint standing committee to which the bill has been referred, or to provide additional information, including the names of persons with expertise in the subject matter of the bill, to the Office of Fiscal and Program Review to aid the office in its preparation of the fiscal note.