

Testimony in Opposition to Representative Moonen's Amendment to LD 1004

Members of the Legislature,

While this amendment is presented as a simple adjustment of dates, it in fact reveals a broader structural concern in the way policy is increasingly developed in Maine government.

This bill postpones dozens of implementation deadlines and reporting requirements from 2025 and 2026 into the year 2027. In doing so, it also postpones the legislative review that follows those reports. Throughout the bill we repeatedly see language stating that after an agency submits its report, a legislative committee "may report out legislation" based on that report to the Second Regular Session of the 133rd Legislature in 2027.

In practical terms, this amendment does not merely move deadlines. It schedules a large body of potential legislation for a future legislature that has not yet been elected.

The structure used in this bill follows a familiar pattern:

- A law directs an agency to conduct a study or establish a working group.
- The agency produces a report with recommendations.
- The Legislature then considers new legislation based on those recommendations.

When deadlines for these studies are moved forward by a year, the policy development process is also shifted forward. Instead of the current Legislature evaluating these matters, the decisions will be shaped by future reports delivered to the 133rd Legislature in 2027.

This raises two concerns.

First, it concentrates policy development within administrative agencies and commissions rather than within the Legislature itself. Agencies effectively design the policy proposals that later become legislation.

Second, by shifting these timelines into 2027, the amendment moves a large amount of policymaking into the next legislative cycle, where both the Legislature and the Governor may be different from those who originally debated and passed the underlying laws.

The Legislature should be cautious about routinely postponing oversight and implementation deadlines in ways that shift policymaking responsibility into the future and further into the hands of administrative bodies.

For these reasons, lawmakers should carefully reconsider whether this amendment is appropriate or whether these matters should instead be addressed individually and with clearer legislative accountability.

What “Report Out Legislation Based on the Report” Means

“**Report out legislation based on the report**” means that a legislative committee is authorized to take the findings of a government study and turn them into a new bill, then introduce that bill to the Legislature. The report itself does not become law; rather, it becomes the foundation for future lawmaking. In practice, this creates a structured pipeline where the Legislature first orders a study, an agency or commission develops recommendations, and then a committee converts those recommendations into legislation. This shifts much of the detailed policy design away from the Legislature at the time of passage and into the hands of agencies that operate afterward. The Legislature then acts more as a body that reviews and formalizes proposals that originated elsewhere.

Where This Appears in the Amendment

Throughout this amendment, nearly every major section follows this same structure. The language repeatedly states that after a report is submitted, “**the committee may report out legislation**” to the Second Regular Session of the **133rd Legislature in 2027**. This is not incidental language—it is a built-in mechanism for future lawmaking. The amendment moves deadlines so that these reports arrive in early 2027, ensuring they are immediately actionable by a newly seated Legislature.

What Policy Areas Are Being Positioned for 2027 Legislation

Several areas stand out as especially significant because they involve structural changes, funding systems, or statewide policy direction. The Emergency Medical Services provisions (Part E) are among the most substantial. They involve a full **funding needs analysis, system evaluation, and a proposed reorganization of the EMS board and governance structure**, with explicit authority for legislation to follow. This is not just a report; it is a precursor to redesigning how emergency services are structured and funded across the state.

The children’s behavioral health and residential treatment system (Part F) is another major area. The Department of Health and Human Services is required to produce a comprehensive **needs assessment, capacity analysis, and system-wide data report**, including gaps in services, wait times, and program availability. The committee is then authorized to introduce legislation based on those findings, which could directly impact funding levels, program expansion, and statewide service models.

The renewable energy section (Part R) also carries significant implications. It directs the creation of a **statewide data system for energy projects**, including ownership, funding sources, permitting status, and regulatory oversight, and explicitly considers whether the state should be given authority to require information from developers. This lays the groundwork for future legislation affecting energy regulation, data collection authority, and potentially land use and permitting policy.

The rural law practice program (Part B) and multiple education-related sections (Parts G through O) are more targeted but still important. These involve workforce development, school policy requirements, data collection on curriculum and student outcomes, and program implementation timelines. Each culminates in reports that may generate follow-up legislation in 2027, particularly in areas of education standards, program funding, and administrative requirements.

Finally, the Department of Corrections gender equity study (Part Q) and other study-based sections follow the same pattern: **study** → **report** → **legislative authority to act**. While narrower in scope, they still contribute to the overall volume of potential legislation queued for the next session.

Brief Summary

This amendment does more than adjust deadlines. It **aligns dozens of government studies, reports, and program evaluations so they all conclude in early 2027**, and it explicitly authorizes legislative committees to turn those reports into new laws. In effect, it creates a coordinated pipeline of policy proposals that will be delivered to—and acted upon by—the next Legislature.