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REP. AMY B. ARATA

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.
 - o 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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						Does it Conform to I	Rules and Council Pol	licy?						
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
Previously Au P.L. 2021, c. 635, Part XX LD 1995 (130th), as amended by LD 289 (131st), P.L. 2023, c. 212	Non-Emergency	S Funded from to On-going Title 5 advisory committee			ies Budget (blue tab) Make recommendations to the Dept. of ACF regarding administration of the fund to address PFAS contamination and report to the Legislature. TOTAL: Legis: Sen: House: Chairs:	15 4 2 (1 each maj. party) 2 (1 each maj. party) First named Senator and Representative	No reporting requirement	DACF	*On-going Title 5 advisory committee	Legislative per diem; 9 meetings	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500
LD 915 (Resolve 2023, c. 98)	Non-Emergency	Enacted during 131st First Special Session, Resolve 2023, c. 98	HHS	Blue Ribbon Commission to Study the Organization of and Service Delivery by the Department of Health and Human Services	Examine the organizational structure of the Department of Health and Human Services and the services provided by the department, including the strengths and weaknesses in the services provided with state and federal funding; current proposals for improving the safety and well-being of children and strengthening families across all populations and geographical areas of the State; barriers to accessing services, as well as system failures and additional needed resources; and areas in which processes can be streamlined and efficiencies made within the department.	13 6 3 (1 each maj. party) 3 (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 (6 of 13) *Multi-year study *Non-emergency	Legislative per diem and expenses; 4 meetings each year of the study	\$ 1,334	\$ 4,450		
LD 1622 (Resolve 2023, c. 103)	Non-Emergency	Enacted during 131st First Special Session, Resolve 2023, c. 103	JUD	Criminal Records Review Committee (reestablishes prior commission)	Review options for expunging and sealing criminal records, including reviewing activities in other states that address the expungement, sealing, vacating of and otherwise limiting public access to criminal records; considering clean-slate legislation; considering whether a time limit after which some criminal records should not be publicly available and consider who should have access to those records; develop options to manage criminal records; and review criminal records legislation considered during the 131st Legislature.	29 (includes invited member from jud. branch) 4 2 (1 each maj. party) 2 (1 each maj. party) First-named Senator and Representative	Interim report due December 6, 2023 to JUD; Final report due November 6, 2024 to JUD	Legislative Council (not during regular or special sessions)	Non-conforming *Membership - more than 13 members and majority of members are not legislators (4 of 29) *Multi-year study *Non-emergency	Legislative per diem and expenses; 4 meetings each year of the study	\$ 1,870	\$ 3,050		
LD 2214, Part N, supplemental budget (P.L. 2023, c. 643)	Emergency	Enacted, signed by Governor (P.L. 2023, c. 643)	JUD	Working Group on the Maine Mass Violence Care Fund	Identify and recommend to the Victims' Compensation Board and the Legislature any changes regarding specific options and eligibility criteria to help ensure that those individuals adversely affected by a mass violence crime are provided some financial	6 2 1 1 Senator and Representative	December 3, 2024 to the Victims' Compensation Board	Staff not designated	Non-conforming *Legislators serving on and chairing an Executive Branch working group *Membership - majority are not legislators (2 out of 6 members) *Staffing - Staffing not designated	Legislative per diem and expenses; 4 meetings		\$ 1,400		

							Does it Conform to F	tules 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
Proposed Stud	lies to be Funde	d from the Gene	ral Fund l	Miscellaneous Studies Bud											
LD 1304	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)	ннѕ	Task Force to Study Barriers to Achieving Behavioral Health Integration and Parity	Study barriers experienced by providers in attempting to deliver behavioral health services that are related to requirements imposed by health insurance carriers and the MaineCare program and develop a plan to address and remove those barriers, allowing for better integrated care and parity in behavioral health treatment, as well as ways to improve access to behavioral health treatment in all geographic areas in the State and to address issues related to workforce shortages and training for providers of behavioral health services.		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	Legislative Council (not during regular or special sessions)	8	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	Commission to Establish a Task Force to Study Sharing Costs of Training First Responders Among Governmental Entities	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)	o .	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			Legislative per diem and expenses; 4 meetings		\$ 3,750		

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 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 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			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)		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	TOTAL: Legis: Sen: House: 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		

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 psychedelic 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.		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.	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 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		

							Does it Conform to I	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 2092	Non-Emergency	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:	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		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 I	Rules and Council Pol	licy?						
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)	VLA	Gagetown Harmful Chemical Study Commission (reestablishes prior commission)	Study the effects of exposure to harmful chemicals on individuals who trained at the Canadian military support base in Gagetown, New Brunswick, Canada as a member of the United States Armed Forces, as a member of the reserve component of the United States Armed Forces or as a member of the National Guard of any state.	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)	EDU	Commission to Study School Construction Policy and Funding	Conduct a comprehensive study to determine the scope of local construction needs throughout the State and make recommendations for public financing to meet current and future school construction needs. 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	Department of Education to provide staffing with the Maine Education Policy Institute to provide assistance with research and report drafting	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)	Legislative per diem and expenses; 8 meetings	\$ 1,400 \$	4,200		
Proposed Stud	dies Requiring a	On Senate Special Appropriations Table (Passed to be Engrossed in Senate with Committee "A"; Passed to be Enacted in House with Committee "A")	Appropriat CJPS	tion to the General Fund L Maine Emergency Medical Service Commission (creates an on-going Title 5 commission)	egislative Account (yellow tab) Monitor and evaluate the State's emergency medical services system and to provide recommendations to the appropriate state agencies and to the Legislature regarding necessary changes in the emergency medical services system. TOTAL: Legis: Sen: House: Chairs:	26 6 3 (at least 1 each maj. party) 3 (at least 1 each maj. party) Commission members select	Annually by January 1 beginning January 1, 2025 to the Governor and the CJPS Committee	staff, if resources	*Establishes an on-going Title 5 commission	Legislative per diem and expenses; at least 1 meeting quarterly	*commission may seek, accept and expend outside funding	3,540	\$ 3,540	\$ 3,540

						Does it Conform to Rules and Council Policy?									
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 2252	Non-Emergency	On Senate Special Appropriations Table (Passed to be Engrossed in Senate with Committee "A"; Passed to be Enacted in House with Committee "A")	JUD	Criminal Records Review Commission (Title 5 on-going commission); Effective 1/1/2025	Review laws, rules and procedures pertaining to criminal history record information in this State.	TOTAL: Legis: Sen: House: Chairs:	29 4 2 (1 each maj. party) 2 (1 each maj. party) First-named Senator and Representative	May submit legislation to the Legislature at the start of each regular session	consult with representatives of the executive and	Establishes an on-going Title 5 commission *Staffing - no staff designated f *Membership - Majority of members are not legislators (4 out of 29) *Funding - may seek outside funding to partially or fully fund the commission	up to 4 meetings per		\$3,500 *May seek outside funding to partially or full fund commission, including staffing	\$ 3,540	\$ 3,581
Proposed Stud	lies to be Funde	ed from Outside	Funding R	desources (orange tab)		•		•	•						
LD 1990	Non-Emergency	On Senate Study Table (Passed to be Engrossed with Committee "A" in Senate; Finally Passed with Committee "A" in House)		Commission to Evaluate the Requirements for Licensing of Social Workers	Conduct a holistic evaluation of the process of social work licensure for licensed master social workers, licensed clinical social workers and licensed social workers, including an evaluation of any disparities based on race, age or disability in the licensure process.		17 5 2 (1 each maj. party) 3 (1 each maj. party) First-named Senator and Representative	November 6, 2024 to the HCIFS Committee	Council (not during regular or	Non-conforming *Non-emergency *Membership - more than 13 members; majority of members are not legislators (5 of 17) *Funding - may apply for and receive funds, grants or contracts from public and private sources	Legislative per diem and expenses; 4 meetings		\$3750 May apply for and receive funds, grants or contracts from public and private sources		

Additional Legislative Staff Resources Needed for Interim Work:

Right to Know 1 MRSA §411 Legislative Advisory Council Staff

Committee

State Education 20-A MRSA, Legislative and Employment Chapter 437 Council Staff

Outcomes Task

Force

State 3 MRSA §2-B Legislative
Compensation Commission *Appointments
not made for 2024

Current Requests for Interim Committee Meetings

VLA Committee 6 meetings requested