

Senate

Senator Troy Jackson, Chair
Senator Eloise Vitelli
Senator Anne Carney
Senator Rick Bennett
Senator Eric Brakey



State of Maine

**One Hundred and Thirty First
Legislature
Joint Select Committee
on Joint Rules**

House

Representative Maureen Fitzgerald Terry, Chair
Representative Anne C. Perry
Representative Colleen M. Madigan
Representative Amy Bradstreet Arata
Representative David Haggan

Staff

Secretary Darek M. Grant
Clerk Robert B. Hunt
Justin Davis

**Meeting Summary
August 27, 2024**

Senate Chair Troy Jackson called the meeting of the Joint Select Committee on Joint Rules to order at 10:07 a.m. in Room 334 of the State House.

Those present were:

Senator Troy Jackson, Chair
Senator Eloise Vitelli
Senator Anne Carney
Senator Rick Bennett
Senator Eric Brakey
Representative Maureen Fitzgerald Terry, Chair
Representative Anne C. Perry
Representative Colleen M. Madigan
Representative Amy Bradstreet Arata

Those absent were:

Representative David Haggan

A quorum was present.

COMMITTEE INTRODUCTIONS

APPROVE MINUTES FROM JULY 18, 2024 MEETING

The motion "Approve Minutes" was made by Senator Bennett and seconded by Representative Perry. By unanimous consent of the committee, the motion prevailed.

OLD BUSINESS

REVIEW PROPOSED JOINT RULE CHANGES SUBMITTED BY LEGISLATORS

Clerk Rob Hunt introduced a compilation of the proposals submitted to the previous meeting of the Committee, which had been collated and organized by non-partisan staff. He advised the Committee that the goal of this exercise is to gauge the Committee's appetite for the wide range of ideas under consideration.

Senator Bennett asked to include the non-partisan office leaders in the conversation, and those present were invited to approach the horseshoe to participate in the discussion. Those included Suzanne Gresser, Executive Director of the Legislative Council; Danielle Fox, Director of the Office of Policy and Legal Analysis (OPLA); Christopher Nolan, Director of the Office of Fiscal and Program Review (OFPR); and Ed Charbonneau, Revisor of Statutes (joining remotely via Zoom).

Clerk Hunt cautioned the Committee before digging into the proposals that the Committee ought to consider the suggestions holistically. Some of the individual proposals would conflict with one another if all were adopted, and making one change in one Joint Rule could have unintended consequences on another that would need to subsequently be fixed.

House Chair Terry invited Danielle Fox, Director of OPLA, to begin the discussion of the chart summarizing the proposals.

Ms. Fox explained that the chart contained all the proposals submitted for the previous meeting, anonymized and sorted by the Joint Rule that the proposal would affect, along with feedback from non-partisan staff regarding the proposals. There were three broad areas of suggestions: those governed by the Joint Rules, those governed by Statute, and those not currently regulated by either. Regarding the first category, Ms. Fox pointed out that depending on the language that currently exists in the Joint Rules, some changes could take place without formally amending any Rules and instead changing the specific way the current Rule is interpreted and applied in a given situation.

Representative Terry asked if it is safe to discuss these changes in a silo without worrying about what effect the next change might have?

Ms. Fox responded that there are many complex interactions within the Joint Rules, and she and her office did their best to compile the interactions in the chart for the Committee to consider within the larger framework of the discussion.

At the suggestion of Senate Chair Jackson, the Committee considered the proposals in the chart in the order in which they were organized.

Concept Drafts and Cloture (Joint Rules 208 and 202)

Ms. Fox explained that there were three incompatible proposals related to concept drafts: eliminate them (with few exceptions), find a replacement for their most common uses, or create new guidelines for their continued use more or less in their current form. Other proposals related to the public distribution of proposed amendments to concept drafts in advance of public hearings.

Senator Carney reflected on her experience as Chair of the Judiciary Committee trying to make proposed language available to the public. She said her Committee had sent proposed language to interested parties via an email list, leaving members of the public who were not on the mailing list in the dark.

Ms. Fox responded that there could be an addition to the announcement for the public hearing on a bill, or to the bill's title page itself, that instructs the public to contact the committee of reference for copies of proposed language. There would be ways to implement that change without needing to build a new system.

Ms. Gresser, the Executive Director, added that some concept drafts, such as the budget proposal or model acts, do explain their intended effects. She made the distinction that the Committee is focusing only on concept drafts that would require a sponsor's amendment to move forward through the committee process.

Senator Carney responded to the suggestion to have the public go to Committee Clerks for proposed language by asking if that would put a strain on Committee Clerks?

Ms. Fox answered that it would be an added responsibility for Committee Clerks, but that this Committee should find the right balance if that additional workload leads to a more transparent process.

Senator Brakey asked if sponsors could be required to upload their proposed amendments or related documents in advance?

Ms. Gresser explained that documents only get posted online once they have gone through the Revisor's Office and been processed by the Clerk or Secretary to receive a document (i.e., LR, SP/HP and/or LD) number.

Clerk Hunt added that only thoroughly vetted ideas that have been approved by the Committee, rather than vague proposals, are made public, and that these official channels would be inappropriate for language that has not been fully adopted. He suggested that a sponsor's proposed amendment could instead be entered into the testimony submission system, so it would be publicly available but separate from official language and amendments. He also cautioned that LawMaker, the backend system for processing legislative documents, is 25 years old and would not be easy to update.

Senator Bennett expressed a personal desire to eliminate concept drafts entirely. He agreed that there is some tension between official and unofficial language (e.g. adopted Committee Amendments vs. sponsor's proposed amendment). He expressed that there are inconsistencies in what information is available online to the public depending on individual committee practices.

Ms. Fox explained that electronic distribution of materials was thrown together out of necessity during the Covid pandemic, and therefore the system was not designed to be a long-term solution. Additionally, a large portion of the workload has transitioned back to paper, so it has become more challenging to manage two parallel systems.

Senator Bennett recommended we ought to be biased more towards digital methods over paper. Additionally, he posited that if we reduced the total number of bills brought forward through the other proposals, then it would help distribute resources more effectively.

Representative Perry echoed the sentiment that the Covid pandemic should have encouraged us to lean more fully on digital technology. She agreed that there should be better controls on the use of concept drafts. She asked if it would be possible to put the sponsor's amendment to a concept draft at the top of the list of testimony on that bill?

Ms. Gresser answered that such a change can be discussed with LIT.

Senator Brakey expressed that the first proposal, to simply eliminate concept drafts, is the clearest solution. He asked if there could be a requirement that a public hearing on a concept draft not be filed until the sponsor gives their proposed amendment to the Revisor's Office?

Ms. Gresser responded that there would need to be a deadline for giving those proposed amendments to the Revisor's Office.

Senator Brakey followed up by suggesting that instead, concept draft bills should not be scheduled for public hearings without their proposed amendments.

Ms. Gresser explained that to the Revisor's Office, there would be little to no difference between a late amendment and an after-deadline bill. This change would be possible to implement from a technological perspective, but in terms of policy, it would be difficult to do in a way that balances the workload in the non-partisan offices and gives every bill the opportunity to be considered.

Representative Madigan suggested the Committee decide how to quantify a 'substantial' amendment that would be subject to the regulations being discussed. She also reflected on her experiences seeing how concept drafts are useful for citizen legislators that bring bills forward on behalf of constituents and interest groups that may not be in their personal areas of expertise. The part-time legislator has other obligations (e.g. family and other job), but still has a responsibility to put the necessary amount of work into their bills.

Clerk Hunt reminded the Committee that not all concept drafts are the same. Some have multiple paragraphs explaining their intent, while others may only have one sentence that provides no additional information beyond the title. Furthermore, the drafting process frequently becomes a negotiation between sponsors and the Revisor's Office, so a one-size-fits-all policy on concept drafts may not be appropriate.

House Chair Terry responded to the suggestion to put ideas and proposals in official channels by pointing out that it could cause more confusion whether or not a proposed language change was adopted by the committee and incorporated into the bill. She also related that Committee Clerks have many responsibilities in the committee room that didn't happen when committees were meeting remotely, so there is already an increased demand on their time and resources.

Senator Bennett identified an interplay between cloture and concept drafts. He explained that concept drafts were originally conceived as a way to relieve pressure created by the cloture deadline. Their use has metastasized beyond that and now ought to be reigned in. He identified three main categories of concept drafts that get submitted: those ideas that a sponsor is enthusiastic about but has not been able to develop a concrete proposal yet, those proposals that are lacking buy-in from stakeholders and need more advocacy, and placeholder bills to introduce new legislation after the deadline without actually introducing new legislation. He concluded that all three are workarounds for cloture, so it would make more sense to reform cloture and the issues around concept drafts will improve as a result.

Senator Vitelli commented that the entire legislative process depends on timing in order to function. Making any changes to the process could disrupt that timing and lead to greater dysfunction. She illustrated this point with the discussion of duplicative bills: any time the Revisor's Office spends holding onto proposals waiting to see if similar proposals are made is less time that the committees have to consider those proposals in the first place, so the priority should be to get bills before committees as quickly as possible. Furthermore, she expressed the belief that bills should identify the problem they're trying to solve. Additionally, committees should be free to adapt to changing circumstances in a way that allows them to be able to respond to citizens' needs. She agreed that there should be more clarity around the limitations of using concept drafts, but that we ought not box ourselves into too rigid a structure.

Senator Brakey provided his perspective as a "prolific filer of bills." He explained that the current Joint Rules create an incentive structure to submit as many bills as possible in the beginning of session to guarantee putting those proposals 'on the table' before the cloture deadline, after which there are more significant hurdles to proposing legislation. He expressed the belief that there would be a natural limit to the number of bills submitted if cloture were eliminated, due to the fact that there would only be so much time left to consider legislation before statutory adjournment and any bills submitted without adequate time would simply not be considered. He also thought there should be a way to identify duplicate proposals. He cautioned against limiting the number of bills an individual legislator could submit, which could lead to a different incentive structure with its own, new issues.

Senator Carney asked Senator Vitelli if restricting concept drafts to Committee Chairs and leads would address her concerns?

Senator Vitelli answered that such a proposal could work, since it would give Committee Chairs a tool to respond to changing situations. She also mentioned that the Legislative Council should have more explicit and consistent guidelines on accepting bills after the deadline.

Senator Carney wondered about the impact a later cloture date would have on new legislators. She expressed the desire to give newly elected Members more time to fully formulate their ideas, perhaps with a staggered cloture (earlier deadline for returning Members, with a later date for new Members).

Ms. Gresser pointed out that such a bifurcated cloture deadline was used in the 115th Legislature, but both deadlines were still in December.

House Chair Terry reminded the Committee that stretching out or eliminating cloture would have consequences for the entire drafting process. Opening the floodgates to new proposals later in the session would tie up the Revisor's Office (who also have amendment drafting, engrossing, and numerous other responsibilities) and slow down the process for everyone, especially since all work would still need to be done by the same adjournment date.

Ed Charbonneau, the Revisor of Statutes, joined the meeting remotely to add his perspective to this discussion that greatly impacts his office. He said that no matter exactly *when* cloture is, around 50% of the total bills submitted in a session come in the last week before the deadline, and a full 25% are submitted the day of cloture, regardless which day it is. In practice, moving the date has no impact on the total number of bills submitted. He also mentioned that the Revisor's Office does have a process for identifying duplicative bills, but it is not mandatory.

Senator Bennett asked when the Legislature has experimented with a later cloture date, specifically into January or after?

Ms. Gresser answered that the 124th Legislature had a later cloture date (the third Friday in January). She also explained that if cloture were eliminated, there would be no way to identify duplicate proposals. Currently, the Revisor's Office prepares a summary of the legislative requests received by cloture, organized by subject area, and that list not only allows duplicates to be identified, but also allows resources to be allocated between committees based on expected workloads. Without a way to anticipate how busy each committee may be, it would then be challenging to determine reporting deadlines for when each committee should be done with its work.

Senator Bennett expressed the belief that if half of all bills are submitted in the last week before cloture, then eliminating that deadline would mean that those bills would never be submitted at all, since legislators would likely just procrastinate "into oblivion" without the motivation to submit brought on by cloture. He asked the Committee to be bold in experimenting with possible solutions, since the current system is not working. He also advocated that if the non-partisan offices are under-resourced to do their job, then the Legislature should fix that, but that ought not be used as an excuse to avoid doing the necessary work.

Ms. Fox explained that the part-time structure of the Legislature with hard deadlines for finishing the work means that cloture deadlines are necessary to ensure adequate time management for each step of the legislative process. This extends to managing the workload within and between committees.

Representative Madigan said she understands the reasoning for cloture as laid out, but that the deadline could be a bit later within the current framework. She identified a distinction between placeholder bills, which serve a purpose in the course of a committee's work, and proposals that are simply incomplete.

Clerk Hunt pointed out that it is common practice for committees to schedule similar bills to have public hearings and work sessions on the same day. Eliminating cloture or moving it later means a committee may not know when or if all the bills on a certain topic have been referred to them, so they may schedule hearings for all the bills they have, only for more to come up later.

Representative Madigan returned to the topic of mandatory cosponsorship, and expressed frustration that the rules have been applied differently over time.

Clerk Hunt replied that legislators can refuse to combine their proposal with similar ones, so it would be impossible to fully enforce mandatory cosponsorship. Additionally, small differences between bills (e.g. exact dollar amounts) are more substantial to some stakeholders than others.

Mr. Charbonneau added that the Revisor's Office does try to eliminate duplicative bills as much as possible (they did so with 60 this session), and that sometimes, the easiest solution for all parties is just to make duplicate bills and move on to the next task.

Senator Brakey said he loves how every bill gets the chance to have a public hearing, but perhaps not every bill should expect to get a public hearing depending on time and resource constraints. For example, the expectation could be relaxed for late submissions. He suggested that by balancing concept drafts, cloture, and the expectation that every bill gets a public hearing, there could be clear quantitative limits on the amount of work any particular Legislature can reasonably do.

Senator Carney identified the core of the discussion revolving around time and resource management throughout the legislative process. She advocated for brainstorming solutions for making proposed language more widely available to the public, which she identified as the most pressing issue.

Senator Bennett agreed that it does serve the public well to group bills on a similar subject together, so that outcome should be considered when looking at solutions. He also expressed that the committees themselves could play a bigger role in determining their own timeline depending on workload, policy priorities, or other factors.

Senator Carney responded that Committee Chairs may have no idea what a concept draft intends to do, so they are not necessarily able to make those scheduling choices. Additionally, some concept drafts play an important role in the committee process, so they should not be completely eliminated.

Representative Arata expressed that the Legislative Council can already determine if emergency legislation is necessary after the cloture deadline, so that problem could be fixed by just having them meet more often during the session.

Representative Arata moved that the Committee recommend eliminating concept drafts, consistent with the first proposal. Senator Brakey seconded the motion. Senate Chair Jackson said he would not support the motion because he was not personally ready to act on the proposals today, so he would entertain a motion to table and continue on with the discussion. ***Representative Arata withdrew her motion.***

House Chair Terry explained that she hoped to put together a report for the next Legislature with the Committee's recommendations based on the discussions, since the Committee cannot submit a bill to make the changes. Instead of making and voting on motions, she said it would be more appropriate to take a straw vote to add the Committee's recommendation to the eventual report.

Senate Chair Jackson said he was not interested in giving Committee Chairs 'back-pocket bills' to work around cloture. He expressed more support for an overall numerical limit to bills, since such a limit would allow legislators to say for themselves what their workload should be, instead of leadership determining that for everyone else.

Representative Arata relayed her constituents' perspective that concept draft titles could either terrify them or give them false hope, both of which could undermine faith in the legislative process when expectations don't match reality.

Senator Bennett expressed appreciation for Senate Chair Jackson's concern for ordinary rank-and-file legislators. He warned against simply kicking the can down the road by just leaving these decisions up to the individual Committee Chairs or other leaders.

Representative Madigan argued that the legislator's job includes raising awareness of emergency situations that should be expedited through the process.

Senator Vitelli advocated for considering a later cloture date, since deadlines motivate people, while using a first-in-first-out drafting policy to incentivize earlier submissions. She focused on 'incomplete bills' and considered whether they should have some allowance to continue through the process in an incomplete state. Furthermore, she expressed reluctance to establish a limit on number of bills submitted per legislator, but said such an experiment could be worth pursuing if it would increase collaboration between legislators to use each one's allotment of bills more strategically.

Senator Bennett asserted that legislators should not be limited by the committee assignments they receive. He asked if there could be an online forum for legislators to collaborate before submitting their legislative proposals and avoid submitting duplicate bills?

Representative Arata answered that party leadership had asked legislators at the start of session to submit their bill titles so that they could collaborate within the caucus, but very few did. She also speculated that if not having a cloture deadline would lead to procrastinating on a proposal, then maybe that proposal is not important or fleshed out enough to be made in the first place. She advocated for keeping cloture, but moving it to the last Friday of January

Representative Perry agreed that there should be better guidance for new Members at the start of the legislative session. She suggested could be a forum early in the session to discuss proposals and collaborate with other Members before cloture.

Senator Carney returned to the information the Revisor's Office collects. As a Committee Chair, she has relied on the list of requests to group public hearings for similar proposals. She suggested that process could be expanded to achieve more of the outcomes being discussed.

Representative Madigan reflected on having a later cloture date in her first term, which gave her and fellow legislators more time to meet and collaborate. She also said that party leadership should be who encourages collaboration, instead of the non-partisan offices that have their own job to do outside of the political discussion. Each party ideally has the motivation to collaborate, since working together across the aisle has historically led to more policy success.

House Chair Terry pointed out that there is currently not a lot of detail in the Joint Rules regarding concept drafts, so there is room for flexibility to implement some changes without amending any language. She recommended focusing on doing things as effectively as possible so that the Legislature can follow its prescribed deadlines and get people home on time each night and then at the end of session. To that end, she suggested requiring concept drafts to have enough information to inform the committee reference, keeping cloture but moving it later in the session, and establishing a second deadline 30 days after cloture to submit proposed language for concept drafts (or else they get kicked out of the system).

Senator Bennett inquired what language would be required by such a new deadline?

House Chair Terry answered that there would at least need to be a complete draft of the proposed language. Since the Legislature would be in session during those 30 days after cloture, that should provide plenty of time to work with the Revisor's Office while legislators are frequently in the building. The intent of this second deadline would be to ensure that the Revisor's Office has enough information to determine the intent of the request before moving onto the next step in the process.

Senator Carney asked House Chair Terry whether under this proposal, a legislative request would remain an LR until the language is drafted, at which point it could become an LD?

House Chair Terry confirmed that is her intent.

Senate Chair Jackson asked how bills are currently submitted?

Ms. Gresser explained that there is an online bill submission form that legislators use to send proposals to the Revisor's Office.

Senate Chair Jackson asked if it would make sense not to allow concept drafts to be submitted online, and instead make legislators go to the Revisor's Office earlier in the process so they can discuss their intent?

Ms. Gresser said that could be possible.

Senate Chair Jackson pointed out that cloture had been extended two weeks this past session. Cloture is typically defined to be the third Friday in December but it is regularly pushed out to the end of December.

Ms. Fox highlighted a proposal to apply cloture to bills submitted by the Governor.

Senator Bennett expressed amusement that the Legislature places limits on itself but not the actions of an officer from a separate branch of government.

Senate Chair Jackson asked whether Governors routinely submit legislation after cloture?

Clerk Hunt confirmed that in the past, Governors have submitted bills up to and on the last day of a legislative session.

House Chair Terry asked for clarification whether a committee could introduce a bill after cloture if they determine there is sufficient need?

Ms. Fox answered that such a thing is possible by passing a Joint Order to report out the bill from the committee. That authority could also be granted by Statute or enabling legislation, for example, establishing a study committee with a report back clause.

Senator Carney cautioned that the Committee should consider the constitutionality of limiting the Governor's ability to submit bills.

Legislation considered in a Second Regular Session (Joint Rule 203)

Senator Bennett identified "sloppiness" in what gets carried over to a Second Regular Session. He advocated for examining that process.

Representative Perry said the root of that problem was in committee workload concerns. Frequently, committees choose to carry over bills that did not have enough time to get a public hearing.

Senator Carney agreed that choosing what gets carried over is an important discretion for Committee Chairs to have. Flexibility for carrying over allows the Chairs to better set the priorities and order of operations for their committee.

Senate Chair Jackson lamented that he didn't know a better way to ensure that every bill gets a public hearing than allowing some to be carried over.

Senator Bennett asked Senate Secretary Darek Grant how many bills were left 'in limbo' on the Special Appropriations Table or elsewhere in the process on the adjournment of the Second Regular Session in May?

Secretary Grant answered there were 237 bills left 'in limbo.'

Senator Bennett replied that in the past, it was standard practice to take every bill off the Special Appropriations Table, even if it was just to be Indefinitely Postponed. He recommended setting the legislative schedule in a way that allows every bill to eventually reach its final disposition, no matter what that may be.

House Chair Terry returned the focus to Joint Rule 203 (establishing cloture for the Second Regular Session). She said the issue should resolve itself when the 132nd Legislature is asked to look through and adopt the Joint Rules at the start of the session. However, the Committee should consider the balance between defining what constitutes 'emergency legislation' and leaving the definition open to interpretation depending on the particular case.

Representative Madigan agreed that flexibility is useful, but a lack of specificity means the definition changes over time. She pointed out there already is an appeals process to introduce after-deadline legislation through the Legislative Council, and it is part of the legislator's job to advocate for their proposal if needed.

Representative Arata suggested requiring seven votes from Legislative Council (up from a simple majority of five) to introduce after-deadline bills.

Senator Bennett returned to the language of the Constitution regarding what can be introduced for consideration in a Second Regular Session (Maine Constitution, Article IV, Part Third, Section 1). He argued that the Constitution is explicit what can be considered, and that concept drafts carried over from the previous session are not emergencies and do not conform to those requirements.

Senator Brakey identified Representative Arata's idea to require seven votes from Legislative Council as the most objective, tangible proposal to address these concerns.

Senator Carney advocated for making few changes to the current Joint Rules and monitoring the effects of those changes, instead of making larger changes to the legislative process, in order to more clearly see what works and what doesn't.

Senator Bennett disagreed, arguing that incremental changes may only yield incremental or even detrimental results. He further disagreed with the idea of requiring a supermajority for introducing legislation. He identified the largest consequence of the current system's shortcomings as being the lack of careful consideration and oversight of the current services budget, which has led to overspending. One way to solve the problems with the budget process would be to move the start of the fiscal year from July to October, but that is beyond the ability of the Committee. Senator Bennett laid out an ultimate goal of empowering the Legislative Branch, after having been shocked at the degradation of the Legislature's power over the approximately 20 years since his last legislative service. He argued that a strong Legislature is vital for the checks and balances between the branches of government, allowing the Legislature to use its authority to identify and address what is and is not working in the entire governmental system.

Sponsorship and Duplicate Bills (Joint Rule 206)

Representative Madigan endorsed the proposal to give primary sponsorship to the first proposal on a given topic that has enough detail for drafting.

Ms. Gresser explained the process used this past session to identify duplicate bills, which involved the Revisor's Office reaching out to sponsors and asking them for permission to combine their bills. They were able to combine about 65 bills that way, but it involved a commitment of staff time and resources. She contrasted that with "The Dance" that was done when legislative requests were kept confidential, which meant needing to essentially speak in code with legislators to see if they would be willing to combine their bill with a similar one. Even though the process is easier now, it still puts a strain on resources.

Representative Arata expressed the belief that there is no reason to limit the number of cosponsors a bill can have. She supports having an incentive for legislators to submit their bills earlier if that means they could get primary sponsorship. She asked what method could be used to determine how related proposals are?

Ms. Gresser replied that such a determination is subjective and sponsors can refuse to combine their bills. She said the overall goal of the process is to get bills into committees as early as possible so they can be considered. She explained that the more cosponsors a piece of legislation can have, the more delays get introduced into the process.

House Chair Terry commented that the process used this past year was helpful for Committee Chairs, since they would receive all bills on a similar subject from the Revisor's Office together and then could combine them as they thought was necessary.

Senator Brakey theorized that a bill limit could help prevent duplicate bills, since legislators would have a natural incentive to collaborate on proposals and cosponsor someone else's bill instead of submitting a concept draft that counts against their own limit. Consequently, he saw no reason to limit cosponsors.

Mr. Charbonneau replied that there is a significant time component to gathering cosponsor signatures that may not be obvious to Members.

Senator Bennett asked whether digital cosponsorship was still possible?

Mr. Charbonneau answered that sponsorship was done through Google Docs during the pandemic when there were no other options, but it created a 'nightmare' behind the scenes and is not a workable long-term solution due to the amount of staff time and effort required. The practice was abandoned when the Legislature returned to meeting at the State House.

Clerk Hunt detailed the compromises to security that digital sponsorship introduced. For example, if the signatures are simply typed into a Google Doc that legislators circulate themselves, one legislator could sign on behalf of another, without that other legislator knowing that their name has now been attached to a piece of legislation.

Senator Bennett replied that fraud is fraud, and legislators are expected to act in accordance with the rules.

Senator Brakey pointed out that in the future, 'blockchain' will fix the issue of signature verification.

Senate Chair Jackson supported the need for clear ownership of bills.

Senator Bennett agreed with Senate Chair Jackson's concerns. He advocated for a means to facilitate collaboration and the exchange of ideas between legislators.

Representative Perry reflected that she had never submitted 20 or more bills in a given session. Instead, she said she worked with other legislators to advance proposals collaboratively. For example, she would give primary sponsorship of a proposal to another legislator who was on the appropriate committee to consider that proposal, or perhaps that other legislator has professional knowledge in a particular subject area and would be a stronger advocate.

House Chair Terry advocated against mandatory cosponsorship, preferring instead to let bills come in however they do and allow committees to sort through them. Instead, she recommended limiting cosponsors to three, while keeping the possibility of an 'open jacket' with approval of the Presiding Officers.

Representative Arata identified the bottleneck in the process as being the time it takes for legislators to gather sponsor signatures.

Ms. Gresser argued that when cosponsors were limited to three or four, the sponsors were chosen more carefully and they each did more work to advocate for their bill out of necessity. Now that there can be up to 10 cosponsors, there is less responsibility for each individual sponsor to advocate for the bill.

Representative Arata expressed that the current rules are adequate, but there needs to be more enforcement for the deadlines. She said that more sponsors usually indicates that a proposal has more bipartisan support, which should always be encouraged.

Senator Brakey dissented by arguing that limiting cosponsors would make legislators more selective of who they would be willing to work with on legislation. For example, if a bill can only have three cosponsors, it would look even better if they came from each of the other caucuses.

Senator Vitelli agreed with Senator Brakey's suggestion and expressed the belief that limiting cosponsors would increase the efficiency of the process.

Representative Arata asked whether a legislator proposed to limit cosponsors, because she did not remember when it had been discussed?

House Chair Terry answered that this proposal may have been in a letter that was received too late to be discussed in the last meeting.

Representative Arata showed reluctance to support this proposal until she knew there was buy-in from legislators.

Senator Brakey suggested that if the number of cosponsors were limited, there should still be the ability to combine similar bills without that counting against the limit.

Bill Limits (Joint Rule 206)

Senate Chair Jackson advocated against a bill limit.

Representative Arata initially supported a bill limit, since she identified legislators who submitted more bills than they could reasonably advocate for effectively. However, she echoed Senator Brakey's earlier comment that if there were a limit to the number of bills one legislator could submit, they are likely to combine multiple proposals into one omnibus bill. She instead suggested having "social pressure" to submit fewer bills.

Representative Madigan identified a physical limit to the amount of work that a citizen Legislature can reasonably do well. One does not expect a waitress to serve 100 tables as effectively as only one, and likewise, there is a number of bills over which there is not enough time for every bill to be fully considered.

Senator Bennett thought the Committee should focus on limiting concept drafts, not other bills that actually are fully developed. He also suggested that the Legislature is poorly equipped to deal with omnibus bills that affect multiple committees' jurisdictions.

Representative Madigan agreed that problems that touch on multiple committees are the most pernicious ones to solve, since no one committee feels ownership over a subject area that falls between the lines, so problems in those areas fall through the cracks. She related that for the most part, committees are siloed within their subject area and are not adequately set up for collaboration.

Senator Vitelli advocated against a bill limit. She wondered whether there could be a way to reward legislators for successful outcomes on their bills?

Senator Brakey responded that getting a bill passed is a reward in and of itself.

Requirements for Drafting (Joint Rule 208)

Mr. Charbonneau explained that there are requirements currently in place, but they should be clarified for more consistent application. Right now, if the Revisor's Office determines that a request does not meet the requirements, they notify the sponsor and give five days for the sponsor to provide sufficient information to allow for drafting. If they do not provide that information, the request *can be* voided, but is not always.

Ms. Gresser echoed that the current rules just need to be made mandatory.

Representative Arata expressed a desire for some "wiggle room" in the rule to account for extenuating circumstances, such as sickness or personal emergencies.

Clerk Hunt responded that there is already an "escape hatch" in the process to account for such circumstances by going to the Presiding Officers.

Mr. Charbonneau added that the notification that a bill is insufficient for drafting goes not only to the legislator who filed it, but also to their aide and the Chief of Staff for their caucus, so they will know what is needed from them and the deadline for responding.

Recodifications (Joint Rule 208)

Ms. Gresser explained that this request refers to times when there is a desire to recodify entire Titles of the Statutes, which can be an incredibly lengthy and resource-intensive process. This proposal would put bills calling for a recodification on the Special Study Table, which would give time to start a conversation with the affected Executive Department to verify what a recodification would seek to achieve (and whether one is needed or wanted in the first place), and ensure that there are sufficient resources available before starting the process.

Joint Resolutions (Joint Rule 213-A)

Ms. Fox explained that this section refers to what could be called 'fancy Sentiments,' which are Joint Resolutions that honor a specific person or event and currently require approval of the Presiding Officers. This proposal would remove the requirement that they need to be authorized, and instead just allow them to be introduced on the floor.

Mr. Charbonneau commented that usage of these Joint Resolutions ballooned during the 131st Legislature.

Senator Brakey wondered whether there could be a better balance that allows these Joint Resolutions to still come forward while making the process more efficient.

Memorials (Joint Rule 214)

Senator Bennett suggested that some Joint Resolutions have merit that can be blocked by the requirement that they be approved by a majority of the Legislative Council, even before cloture. He advocated for treating memorials submitted before cloture like any other bill, subject to the same drafting requirements but not Legislative Council approval.

Senate Chair Jackson commented that he stopped supporting memorials because Congress never acts on any memorials we send them, so there is no point wasting time passing Resolutions that have no effect.

Representative Arata concurred with Chair Jackson, and suggested that such memorials should require a supermajority of Legislative Council to approve.

Senator Brakey voiced his support for the idea, and added that these memorials would be an appropriate arena for a limit on the number an individual legislator can submit.

Article V Constitutional Conventions (Joint Rule 215)

Senator Bennett presented his reasoning as he detailed in the previous meeting.

Senator Brakey asked whether any other states have a higher threshold than a simple majority to call for a Constitutional Convention under Article V? And if there are any legal implications of establishing statutory barriers to constitutional mechanisms?

Joint Standing Committee on Housing (and Committee structure) (Joint Rule 301)

Ms. Fox warned that there is only so much physical space available for committee meeting rooms in the State House and the Cross Office Building, so it would be challenging to add an additional Joint Standing Committee. She suggested it would make more logistical sense to combine the two committees with the lightest workloads (Marine Resources and Inland Fisheries and Wildlife). She provided a comparison of the number of bills across the various committees to show the effects on workload of combining IFW and MAR and/or creating a new, permanent Housing Committee.

Senator Carney asked if it was possible to break down committee workloads even further by more detailed subject areas?

Ms. Fox answered that information should be obtainable through the unofficial bill summary data compiled by nonpartisan staff.

Senator Bennett was hesitant to put undue constraints on the next Legislature. He supported compiling the information necessary to inform future decisions on the Standing Committees' subject areas, and commented that the Marine Resources Committee could be combined with Environment and Natural Resources. He also suggested that rather than creating a new committee, the Committee on Appropriations and Financial Affairs could be expanded to exert more authority in the budget process.

Senator Vitelli echoed the desire to get more information about committee workloads. She voiced concern she has heard for combining IFW and MAR, and instead supported rebalancing the subject matter between various committees to more equitably share the workload without changing the overall number of committees.

Notices of Public Hearings (Joint Rule 305)

Ms. Fox explained that this proposal would move the deadline for advertising public hearings in newspapers from noon on Wednesday to noon on Friday, since currently, any bills referred to committee in a Thursday session need to wait for the following week to be advertised (and then need to be advertised for two weekends). This proposal would also allow electronic notices to count, instead of requiring the notices to be published in the print newspaper.

Senate Chair Jackson asked whether the Legislature could make this change unilaterally, or if there would have to be a conversation with the media companies to reach an agreement that works for all parties?

Ms. Gresser clarified that this proposal would not end advertising in print media, but rather, it would ensure that limitations of the newspaper publishers do not get in the way of the Legislature doing its own work. As the proposal is currently written, there would still be at least one weekend of newspaper advertisement for public hearings.

Senator Bennett asked if the Committee could get data from the newspaper publishers on how readers access information, and whether the effort to publish notices in the papers is justified by demand.

Clerk Hunt pointed out that classified ads and other content submitted to the newspapers for publication in the weekend editions have a Friday-at-noon deadline, so the capability apparently exists to accept submissions until at least that time.

Senator Vitelli mentioned that since many people get their news from the online editions of newspapers, they are still a valuable source of information for the public, even if people rarely read the physical paper anymore.

Senator Bennett asked if it was possible to fulfill the advertising requirement through other platforms, such as social media?

Ms. Gresser answered that currently, the Joint Rules are interpreted to specifically require advertising in newspapers. Ms. Fox added that the reference to newspapers may be from the guidelines for committees and not the Joint Rules

Referencing of Bills (Joint Rule 308)

Clerk Hunt explained the current process used to reference bills to committees. He suggested that the Committee has the option to lean on the Clerk and Secretary more aggressively to expedite the referencing of bills during session. Currently, around 95% of bills end up in the committee suggested by the Clerk and Secretary.

Senator Bennett asked how other states handle this process?

Clerk Hunt answered that comparisons between states are difficult, since Maine is one of only three States to have a joint committee structure.

Senator Bennett suggested that we can have the best of both worlds (i.e. the streamlined process of Clerk and Secretary references vs. referencing happening on the floor during session). He envisioned a system where the Clerk and Secretary refer bills by default, but sponsors and/or the committee of reference would be able to appeal the decision and refer a bill to a different committee.

Representative Madigan asked whether the part of the Joint Rule that needs amending is the current requirement that the Legislature be out of session for four days before the Clerk and Secretary have the authority to refer bills?

Clerk Hunt confirmed that the four-day rule was the part being discussed. He emphasized that the sooner bills are referenced to committee, the sooner the rest of the legislative process can start.

Senator Brakey asked for more information regarding the 5% of bills that are *not* easily referred by the Clerk and Secretary?

Clerk Hunt and Secretary Grant detailed the process they use. They said that many bills are very clear which committee is appropriate, such as those naming bridges or dealing with hunting. However, some bills are particularly controversial or deal with issues that could fall within the jurisdiction of multiple committees, and in those cases, Clerk Hunt and Secretary Grant leave the decision of reference to the Members. During the pandemic, the Clerk and Secretary referred the vast majority of bills in the weeks between the sparse session days, and they developed an informal mechanism for committees or sponsors to overturn references while still keeping the process moving.

Senator Brakey voiced concern that there should still be a 'safety valve' to overturn the suggested reference, but it would be good to speed up the referencing process.

House Chair Terry suggested reducing the current four-day window in the Joint Rule to two days, in order to improve efficiency at the start of session.

Clerk Hunt responded that bills will still be referenced either way whether or not there are any changes, and that he and the Secretary coordinate with the Presiding Officers to determine how expansive their referencing authority is.

Senator Bennett asked why the Presiding Officers are involved in that determination when the Clerk and Secretary are independently elected?

Clerk Hunt explained that the Presiding Officers are the ones who determine the overall process in how bills are referenced, not making decisions on specific bills.

Senator Bennett supported expanding the Clerk's and Secretary's authority to reference bills. He said that time during session should be saved for more important things than referring bills.

Senator Vitelli mentioned that referencing bills on the floor gives Members the experience of standing and making a motion on the floor.

Representative Arata asked when the notice is given to sponsors that their bill was referred to committee by the Clerk and Secretary?

Clerk Hunt explained that a "Rule 308.2 Letter" appears in the Communications section of the Calendar during the next session day, listing all the bills that were referred to committees since the last session day.

Representative Arata asked what recourse a sponsor would have if they disagreed with the committee of reference in the Rule 308.2 Letter?

Clerk Hunt responded that currently, that would be too late in the process since it was already sent off to the committee, and the sponsor would have to go to the committee directly to request them report it out to a different committee. However, he said it is quite rare for a Member to disagree with a 308.2 reference.

Representative Arata asked whether someone could object to a reference in a Rule 308.2 Letter?

Clerk Hunt answered that the chain of custody over bills is important, and once a bill appears in a Rule 308.2 Letter, it belongs to the committee of reference and is no longer in possession of the House.

Senator Bennett suggested that there should be one simple, consistent process for referring bills, no matter when that bill comes forward. He pointed out that even now, the Clerk and Secretary carry out their duties responsibly and there have never been accusations of the system being abused.

Representative Perry agreed that the Rules should prioritize getting committee work started as early as is feasible.

Senator Carney asked Senator Bennett to clarify his call for a single process. She inquired whether that would expand to situations where the Clerk and Secretary may disagree on the correct committee?

Senator Bennett clarified that he believes that the Clerk and Secretary should be empowered to do the job that they were elected to do, with an appropriate safety valve.

Clerk Hunt added that he and Secretary Grant try to avoid controversy whenever possible by letting Members decide for themselves what committee to refer a difficult bill to. He suggested this conversation should be focused on the clear-cut decisions the Clerk and Secretary can agree on, but cannot refer that bill under the current Rules because it is within four days of session.

Senator Carney agreed the process should prioritize efficiency.

House Chair Terry identified two related but separate questions to be answered by the Committee: whether to expand the Clerk's and Secretary's authority to refer bills; and whether to reduce the current rule for four days down to two or even lower.

Senator Carney added the question of whether to formalize the pandemic-era practice of allowing a reference to be overturned by a vote of 3/4 of the Chairs and Leads of the committee of reference.

Senator Bennett endorsed removing the four-day rule entirely, giving the Clerk and Secretary the authority to reference bills whenever they are received, with the ability to send controversial bills to a vote in the full Legislature.

Notice to Report from Committees (Joint Rule 309)

Ms. Fox explained that currently, the Presiding Officers set the deadline to report bills out from committees. This proposal would enhance the enforcement of those deadlines by voiding bills that are not reported out in a timely manner.

Senator Carney suggested that any enforcement of reporting deadlines by automatically voiding bills would punish the bill's sponsors, not the committee that failed to report that bill out.

Committee Reports (Joint Rule 310 (2), (4), and (5))

One proposal in this category is to eliminate the "Ought to Pass in New Draft" Report type, which Ms. Fox explained has not been used in years since technology progressed to the point that new drafts are not necessary. The same effect can be, and is, achieved by passing a Committee Amendment that strikes out and replaces the entire bill language.

The Committee discussed the situation where a committee is evenly divided on voting out a bill due to absences, and if the result of a vote is a tie, the motion currently fails. Ms. Fox suggested that since a Report can be evenly divided and still move forward, the motion failing on an even tie should not prevent that Report from being made.

The Committee showed more interest in preventing committee Members who were absent for a vote from creating a new Report, particularly by submitting a new amendment that has not been considered by the rest of the Committee.

Senate Chair Jackson asked whether Members participating remotely would be considered absent under this proposal?

Ms. Fox replied that under the current Joint Rule regarding remote participation, those Members would be considered present and able to create a different Report.

Senator Bennett voiced a strong belief that if a Member was absent from the discussion that took place in a committee meeting, that Member has given up their chance to affect the final result of that discussion by creating a new Report. He argued that if a Member wants to put forward a motion that disagrees with the rest of the committee, that Member ought to be present to make that motion during the meeting.

Senator Carney pointed out that some Members serve on multiple committees, or submit bills that go before a different committee, and there is a potential for scheduling conflicts outside a Member's control.

Clerk Hunt clarified that the issue this proposal attempts to solve is specifically when a Member is absent from a vote in committee and then subsequently brings a new amendment that has not been vetted by the full committee. He mentioned that according to parliamentary procedure, the proper way to change the outcome of a vote after it has been taken is through Reconsideration (while the bill is still in the Committee's possession; otherwise, the Member should introduce a Floor Amendment).

Committee voting hours (Joint Rule 310 (5))

The Committee referred to this proposal without discussion.

Fiscal notes for Initiated Bills (Joint Rule 312)

Christopher Nolan, Director of OFPR, approached the horseshoe to explain the current process: As it stands, OFPR makes recommendations to the Senate Chair of the Appropriations Committee on which bills should be put on the Special Appropriations Table. Any specific guidelines that currently exist to steer that determination are contained in the Senate Rules adopted at the start of each session, since the House is unaffected.

Senate Chair Jackson asked for clarification on whether land transfer bills currently go to the Appropriations Table?

Mr. Nolan answered that there is no specific guidance in either the Joint Rules or Senate Rules on land transfer bills specifically, but that OFPR tries to make consistent recommendations based on their interpretation of the rules.

Representative Arata mentioned that she had a land swap bill this past session that did not get placed on the Appropriations Table.

House Chair Terry said she was unsure which bill this complaint was referring to, and that she could not find any land transfer bill that went to the Appropriations Table.

Senator Bennett expressed that Appropriations should be an ongoing process, rather than saving everything on the Appropriations Table for the end of the legislative session. He also expressed confusion as to why just the bills that cost money go to the Appropriations Table, rather than including bills that raise revenues through taxes. He concluded that no matter what decision the Committee makes, the Senate Rules Committee ought to examine the rules regarding fiscal notes and the Appropriations Table.

Mr. Nolan responded that his goal is to have clear rules regarding fiscal notes laid out at the start of the session (whether in the Joint or Senate Rules or discussions with the Appropriations Committee leaders) and then consistently apply those rules throughout the biennium.

Participation in Budget Hearings and Budget Subcommittees (Joint Rule 314 (2))

Ms. Fox explained the proposal. The Committee did not discuss it further.

List of Priorities for the Appropriations Table (Joint Rule 314 (7))

Ms. Fox explained the proposal. The Committee did not discuss it further.

Legislative Studies (Joint Rule 353 (1), (8), and (10))

Ms. Fox explained that the Joint Rules currently refer to non-legislative studies, but such studies are authorized through specific legislation, so she suggested there is no need to refer to them in the Joint Rules or consider them for legislative resources.

The suggestion was made to give study committees the authority to introduce legislation as a result of their studying, in lieu of the policy committee to which the study committee is tasked with reporting back.

Senator Carney asked if there would be limits on how a study committee can report out legislation?

Ms. Fox answered that when study committees have reported out legislation in the past, the common practice was for the Chairs of the study committee to determine the timeline and outcomes at the outset of the committee's work.

Senator Bennett endorsed the proposal. He posited that if the Legislature decides something is worth studying and a committee is formed to do that, then the results of that process should be presented back to the full Legislature at the conclusion. He thought would not be appropriate for a policy committee to block that work.

Ms. Fox referenced two additional proposals under this category: that study reports could be treated similar to how 'Table priorities' are already handled, and that studies could be grouped with the previously discussed recodification bills on the Study Table to allocate resources during a legislative interim period.

Proposals governed by Statute

Date of Adjournment and 'Veto Day' (Title 3, §2)

Senate Chair Jackson asked what options exist regarding adjournment day?

Ms. Gresser explained that statutory adjournment is governed by 3 MRSA §2, which could be altered through legislation. There are practical considerations to moving the statutory adjournment, and the Committee showed no interest in changing it.

Senate Chair Jackson referred to the events of this past May when the Governor's Office did not accept bills that had been passed to be enacted off the Appropriations Table on 'Veto Day.' He asked whether there could be a mechanism for allowing bills rejected by the Governor to become law over the Governor's objections?

Ms. Gresser voiced a need to look more closely at the exact language in the Constitution. This would include whether or not there is a distinction between rejecting bills and refusing to accept them.

Senator Bennett pointed out that the Constitution says bills "shall be presented to the Governor" (ME Const., Art. IV, Part 3rd, §2). He identified that presentation as the start of the 10-day clock for the Governor to sign or veto.

Mr. Charbonneau added that the Constitution is "pretty firm" what happens in such situations, since the Legislature had adjourned *sine die*. He said that if the Legislature had not adjourned, "an argument could be made" that after 10 days, the bills would have become law without the Governor's signature.

Senate Chair Jackson replied that the Constitution is clear what happens when the Governor *rejects* a bill (a 'pocket veto'), but not when the Governor refuses to be presented with a bill. He suggested addressing the specific situation where the Legislature presents a bill as prescribed but the Governor does not accept it.

Ms. Gresser agreed that there could be more clear definition in Statute around what counts for a bill to be "presented to the Governor." In current practice, the rule has been interpreted to mean when the bill is received by the Governor's Office (i.e. when the 10-day timer starts for the Governor to sign or veto the bill).

Proposals not part of a current Rule or Statute

Reorganization of the legislative calendar

Senator Bennett suggested the Committee defer on this area to focus more on areas where the Committee can take concrete action. He offered to prepare a longer written piece elucidating his thoughts on fixing the legislative calendar.

Better notice for the session schedule

Ms. Fox explained the proposal. The Committee did not discuss it further.

Training for Committee Chairs

Ms. Fox explained the proposal. The Committee did not discuss it further.

Numerical limit for bills

Ms. Fox referenced the proposal. The Committee did not discuss it further.

Prohibit carrying over concept drafts

Ms. Fox referenced the proposal. The Committee did not discuss it further.

Committee Amendment review

Ms. Fox explained the proposal. She identified confidentiality policy as a major obstacle to reform in this area.

Representative Arata asked why there is a confidentiality policy?

Ms. Fox answered that she could not speak to the reasoning for the policy, but it does exist and is explicit that amendments are confidential until distributed at the committee.

House Chair Terry expressed concern about publishing unreviewed language. She suggested there needs to be leeway to make absolutely sure that the language is exactly what a committee wants before making it public, since it's impossible to take something back once it's on the internet. Before a committee finalizes an amendment, that working language is intended to be internal to the committee, and not for the public until after it is finalized.

Senator Carney appreciated the need to make sure that everything is finalized and approved before publishing, whether it be a bill or an amendment.

Representative Arata advocated that the Legislature ought to err on the side of transparency for the public when deciding what to keep confidential. She voiced concern that the current confidentiality rule means that citizens do not have time to understand a proposal in advance of its public hearing, catching them off guard with the contents.

Ms. Fox clarified that there is a distinction between the sponsor's proposed amendment, which should be publicly available through committee testimony and not confidential, and the Committee Amendment that gets voted out (and its pre-final drafts), which is subject to the confidentiality requirement.

Representative Arata replied that the issue still remains that sponsors can propose substantial amendments without enough time for the public to read and respond.

House Chair Terry advised that better committee training could make these practices more consistent across committees.

Senator Carney agreed that it may be more appropriate to address this concern within the individual committee rules.

Senator Bennett related this proposal affecting all bills to the bill he referred to the Committee regarding advance publication for concept drafts specifically. He said it would be difficult to police which amendments need advance publication, since even bills that are not concept drafts could be amended into something completely different.

Representative Arata reiterated that any bill could hypothetically be called a concept draft, since any sponsor can introduce an amendment that substantially changes the bill.

Increased transparency for committee deliberations

The Committee referred to this proposal without discussion.

Committee decorum

Senate Chair Jackson suggested that enforcing decorum is at the discretion of the Committee Chairs, illustrated by the fact that Ms. Gresser had been invited to sit at an empty seat at the horseshoe so she could more easily participate in this conversation.

Senator Bennett specified that the Joint Rules should explicitly state what the public is or is not allowed to do in a legislative committee room, because inconsistencies across committees can intimidate those unfamiliar with the process.

Representative Arata concurred that the current inconsistencies between committees makes the behavioral expectations for the public unclear.

House Chair Terry responded that the Committee could recommend better training for Committee Chairs and Clerks to make the practices more consistent.

Absences

Ms. Fox referenced the proposal. The Committee did not discuss it further.

Staffing levels

Senator Bennett suggested the Committee should solicit input from the non-partisan offices regarding what additional resources they need before making any recommendations.

House Chair Terry highlighted a high level of bipartisan support for increasing staffing levels to support the legislative process. She recognized that each worker can only do so much work, particularly during the long hours at the end of a legislative session.

NEW BUSINESS: RENEW CODE OF ETHICS REVIEW

Ms. Fox explained that the Committee is obligated by the Joint Rules to review the Code of Ethics and make changes if the Committee feels it would be appropriate to do so.

Senator Bennett offered a single-letter change, from "No Maine legislators..." to "No Maine legislator will accept any employment..."

Ms. Gresser explained that the 's' Senator Bennett was interested in removing was added during an effort to remove gendered language from legislative documents. The noun was pluralized to change "his or her" to "their" later in the sentence.

Senator Bennett pointed out that in popular usage, 'they' is accepted as a singular, non-gendered pronoun, so his suggested change would still be grammatically correct.

Mr. Charbonneau responded that the singular usage of 'they' is not appropriate under the drafting guidelines used by the Revisor's Office.

COMMITTEE DISCUSSION

Senate Chair Jackson advised that the Committee would return for another meeting, at which it would act on the proposals discussed today.

Senator Carney asked how to determine which proposals to move forward when they are incompatible with each other?

Ms. Gresser suggested to prepare options consistent with the information the Committee has heard, which could be voted on at the next meeting.

Ms. Fox asked what the Committee thought the final report should look like?

Senate Chair Jackson suggested taking a straw poll for the various recommendations and informing the next Legislature of the results and make the case for increasing efficiency and transparency for both Members and the public at large. He argued that since this Committee cannot take any more concrete actions or constrain the actions of the next Legislature, all it can do is advocate for these changes in a non-binding manner.

House Chair Terry suggested to prepare a cover letter for the final report of the Committee explaining the recommendations and the Committee's reasoning, followed by a table of all the proposals with the results of the Committee's straw polls for each.

Senator Bennett proposed to give the Committee's recommendations to the Presiding Officer-designees as soon as they are chosen (i.e. before Swearing-In Day), so they have time to consider the proposals before approving the Joint Rules at the start of the 132nd Legislature. He also suggested that since the Committee is not actually making any of the changes that have been discussed, the final recommendations can go beyond the Committee's usual purview.

Senator Carney urged the Committee to try to make the recommendations unanimous to indicate the strength of consensus that something needs to change.

Clerk Hunt asked whether the Committee wanted the suggestions to be voted on at the next meeting to include all proposals included on the chart, or just those that the Committee showed interest in pursuing?

Senate Chair Jackson answered that they should consider all the proposals, since he needs "more time to chew on" some of them before making a final decision.

ADJOURNMENT

There being no other business or announcements, on motion of House Chair Terry and seconded by Representative Madigan, the Committee adjourned at 3:30 p.m.