



130th MAINE LEGISLATURE

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Legislative Document

No. 817

S.P. 193

In Senate, March 5, 2021

Resolve, To Establish the COVID-19 Review Commission

(EMERGENCY)

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator KEIM of Oxford.
Cosponsored by Representative FECTEAU of Augusta and
Senator: BENNETT of Oxford, Representatives: BRADSTREET of Vassalboro, SAMPSON
of Alfred.

1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** this resolve establishes the COVID-19 Review Commission to study
4 executive orders related to the declared COVID-19 emergency; review contracts entered
5 into related to executing the Governor's emergency proclamation and related executive
6 orders and the data related to COVID-19 collected by the Department of Health and Human
7 Services, Maine Center for Disease Control and Prevention, including suicide attempts and
8 deaths and drug-related hospitalizations and deaths; study the Maine Center for Disease
9 Control and Prevention response, including testing and use of contact tracers; study the
10 policies and rules connected to COVID-19 implemented by the Department of Health and
11 Human Services, the Department of Education, the Department of Defense, Veterans and
12 Emergency Management, Maine Emergency Management Agency and the Department of
13 Economic and Community Development; and study any other COVID-19 response related
14 matters as required by the commission; and

15 **Whereas,** the study must be initiated before the 90-day period expires in order that
16 the study may be completed and a report submitted in time for consideration during the
17 next legislative session; and

18 **Whereas,** the commission will provide oversight of the extended use of the
19 Governor's emergency powers; and

20 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
21 the meaning of the Constitution of Maine and require the following legislation as
22 immediately necessary for the preservation of the public peace, health and safety; now,
23 therefore, be it

24 **Sec. 1. Commission established. Resolved:** That the COVID-19 Review
25 Commission, referred to in this resolve as "the commission," is established.

26 **Sec. 2. Commission membership. Resolved:** That, notwithstanding Joint Rule
27 353, the commission consists of 12 members appointed as follows:

28 1. Four members of the Senate appointed by the President of the Senate, including 2
29 members from each of the 2 parties holding the largest number of seats in the Legislature;
30 and

31 2. Eight members of the House of Representatives appointed by the Speaker of the
32 House, including 4 members from each of the 2 parties holding the largest number of seats
33 in the Legislature.

34 **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair
35 and the first-named House of Representatives member is the House chair of the
36 commission.

37 **Sec. 4. Appointments; convening of commission. Resolved:** That all
38 appointments must be made no later than 30 days following the effective date of this
39 resolve. The appointing authorities shall notify the Executive Director of the Legislative
40 Council once all appointments have been completed. After appointment of all members,
41 the chairs shall call and convene the first meeting of the commission. If 30 days or more
42 after the effective date of this resolve a majority of but not all appointments have been

1 made, the chairs may request authority and the Legislative Council may grant authority for
2 the commission to meet and conduct its business.

3 **Sec. 5. Duties. Resolved:** That the commission shall: study the State's response to
4 coronavirus disease 2019, referred to in this resolve as COVID-19, and state laws, rules
5 and policies governing that response in the State, including but not limited to executive
6 orders related to the declared COVID-19 emergency; review contracts entered into related
7 to executing the Governor's emergency proclamation and related executive orders; review
8 the data related to COVID-19 collected by the Department of Health and Human Services,
9 Maine Center for Disease Control and Prevention, including suicide attempts and deaths
10 and drug-related hospitalizations and deaths; study the Maine Center for Disease Control
11 and Prevention response, including testing and use of contact tracers; study the policies and
12 rules connected to COVID-19 implemented by the Department of Health and Human
13 Services, the Department of Education, the Department of Defense, Veterans and
14 Emergency Management, Maine Emergency Management Agency and the Department of
15 Economic and Community Development; and study any other matters related to the
16 COVID-19 response as required by the commission.

17 **Sec. 6. Staff assistance. Resolved:** That the Department of Health and Human
18 Services shall provide necessary staffing services to the commission.

19 **Sec. 7. Report. Resolved:** That, no later than December 6, 2021, the commission
20 shall submit a report that includes its findings and recommendations, including suggested
21 legislation, to the Joint Standing Committee on Health and Human Services.

22 **Emergency clause.** In view of the emergency cited in the preamble, this legislation
23 takes effect when approved.

24 SUMMARY

25 This resolve establishes the COVID-19 Review Commission to study the State's
26 response to COVID-19 and state laws, rules and policies governing that response in the
27 State. The commission must submit a report that includes its findings and
28 recommendations, including suggested legislation, to the Joint Standing Committee on
29 Health and Human Services no later than December 6, 2021.