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Date: (Filing No. S-)

STATE AND LOCAL GOVERNMENT

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE
SENATE
130TH LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 193, L.D. 817, “Resolve, To Establish the COVID-19 Review Commission”

Amend the resolve by striking out everything after the title and inserting the following:

Sec. 1. Commission established. Resolved: That, notwithstanding Joint Rule 353, the COVID-19 Review Commission, referred to in this resolve as "the commission," is established as follows.

Sec. 2. Commission membership. Resolved: That the commission consists of 13 members appointed as follows:

- 1. Four members of the Senate appointed by the President of the Senate, including 2 members from each of the 2 parties holding the largest number of seats in the Legislature;
- 2. Eight members of the House of Representatives appointed by the Speaker of the House, including 4 members from each of the 2 parties holding the largest number of seats in the Legislature; and
- 3. One member of the House of Representatives appointed by the Speaker of the House who is not a member of either of the 2 parties holding the largest number of seats in the Legislature.

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

Sec. 4. Appointments; convening of commission. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business.

COMMITTEE AMENDMENT

1 **Sec. 5. Duties. Resolved:** That the commission shall review and collect
2 information about the State's response to coronavirus disease 2019, referred to in this
3 resolve as COVID-19, including:

4 1. State laws, rules and policies governing the State’s response, including executive
5 orders;

6 2. Contracts entered into related to executing the Governor's emergency proclamation
7 and related executive orders;

8 3. Department of Health and Human Services, Maine Center for Disease Control and
9 Prevention response, including testing and use of contact tracers;

10 4. Policies and rules connected to COVID-19 implemented by state agencies;

11 5. Federal, state and local intergovernmental coordination;

12 6. Distribution of vaccines, including the use of public and private methods;

13 7. Availability of medical equipment and supplies, including personal protective
14 equipment;

15 8. Interagency communication and information sharing;

16 9. Scope of the Governor's emergency powers, including review of emergency orders
17 issued by the Governor, and accountability to other branches of government;

18 10. Response of hospitals, nursing homes and other congregate settings;

19 11. Economic relief policies;

20 12. Overall health and economic impact on communities, including racial and ethnic
21 minority populations, of COVID-19 infections and deaths and the state mitigation
22 response;

23 13. State and local government preparedness and response to executive orders related
24 to the declared COVID-19 emergency;

25 14. The preparedness and response of the federally recognized Indian tribes, nations
26 and bands located within the State to the declared COVID-19 emergency; and

27 15. Other matters related to the COVID-19 response as determined by the commission.

28 **Sec. 6. Reports. Resolved:** That, no later than December 6, 2021, the commission
29 shall submit an interim report that includes its findings and recommendations, including
30 suggested legislation, to the joint standing committee of the Legislature having jurisdiction
31 over state and local government matters and that, no later than December 5, 2022, the
32 commission shall submit a final report that includes its findings and recommendations,
33 including suggested legislation, to the joint standing committee of the Legislature having
34 jurisdiction over state and local government matters. The committee may report out a bill
35 based on the interim report in the Second Regular Session of the 130th Legislature.

36 **Sec. 7. Federal funding. Resolved:** That the Legislative Council shall seek to
37 fully fund the costs of the review under this resolve with funds from Federal Expenditures
38 Fund - ARP State Fiscal Recovery and shall authorize the commission to meet and incur
39 expenses only to the extent those funds are available.

1 **Sec. 8. Appropriations and allocations. Resolved:** That the following
2 appropriations and allocations are made.

3 **LEGISLATURE**

4 **Study Commissions - Funding 0444**

5 Initiative: Provides one-time allocations of funds from the State Fiscal Recovery Fund
6 established in the federal American Rescue Plan Act of 2021, Public Law 117-2, for the
7 costs to the Legislature of the COVID-19 Review Commission.

8 FEDERAL EXPENDITURES FUND - ARP STATE	2021-22	2022-23
9 FISCAL RECOVERY		
10 Personal Services	\$2,860	\$2,860
11 All Other	\$3,765	\$3,765
12		
13 FEDERAL EXPENDITURES FUND - ARP STATE	\$6,625	\$6,625
14 FISCAL RECOVERY TOTAL		

15
16 Amend the resolve by relettering or renumbering any nonconsecutive Part letter or
17 section number to read consecutively.

18 **SUMMARY**

19 This amendment replaces the resolve and removes the emergency preamble and clause.
20 It establishes the COVID-19 Review Commission to review the State's response to
21 COVID-19. The commission must submit an interim report that includes its findings and
22 recommendations, including suggested legislation, to the Joint Standing Committee on
23 State and Local Government no later than December 6, 2021 and a final report no later than
24 December 5, 2022. The committee may report out a bill to the Second Regular Session of
25 the 130th Legislature based on the interim report. The commission may meet and incur
26 expenses to the extent federal funding from Federal Expenditures Fund - ARP State Fiscal
27 Recovery is available. The amendment also adds an appropriations and allocations section.

28 **FISCAL NOTE REQUIRED**

29 **(See attached)**

COMMITTEE AMENDMENT