

MAINE STATE LEGISLATURE

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(EMERGENCY)

FIRST REGULAR SESSION

ONE HUNDRED AND TWELFTH LEGISLATURE

Legislative Document

No. 3

S.P. 1

In Senate, December 4, 1984

Submitted by the Department of Educational and Cultural Services pursuant to Joint Rule 24.

Reference to the Committee on Audit and Program Review is suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Diamond of Cumberland.

Cosponsors: Representative Rolde of York and Speaker Martin of Eagle Lake.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-FOUR

AN ACT Relating to Periodic Justification
of Departments and Agencies of State Government
under the Maine Sunset Laws.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Second Regular Session of the 111th Legislature enacted L.D. 2417, chapter 819, "AN ACT Relating to Periodic Justification of Departments and Agencies of State Government Under the Maine Sunset Laws"; and

Whereas, this action repealed Title 3, section 507, subsections 7 and 9, which had the net effect of moving the Department of Educational and Cultural Services' designation from a Group E department to a Group D-1 department resulting in a change of the Sunset Review of the Department of Educational and

1 Cultural Services from June 30, 1988, to June 30,
2 1986; and

3 Whereas, with the new sunset review completion
4 date of June 30, 1986, it mandates that the
5 self-evaluation process for the department will have
6 to be initiated in December, 1984, certainly no later
7 than January of 1985; and

8 Whereas, in light of the educational reform mea-
9 sures passed at the Special Session of the 111th Leg-
10 islature in September, 1984, the department is al-
11 ready charged with implementing up to 14 major educa-
12 tional reforms to comply with the new legislation;
13 and

14 Whereas, it would place a severe strain on the
15 department's resources to try to meet the earlier
16 June 30, 1986, completion date for the sunset review
17 and immediate legislation is necessary to alleviate
18 this problem; and

19 Whereas, in the judgment of the Legislature,
20 these facts create an emergency within the meaning of
21 the Constitution of Maine and require the following
22 legislation as immediately necessary for the preser-
23 vation of the public peace, health and safety; now,
24 therefore,

25 Be it enacted by the People of the State of Maine as
26 follows:

27 Sec. 1. 3 MRSA §507, sub-§7, ¶A, as repealed and
28 replaced by PL 1983, c. 819, Pt. A, §2, is amended to
29 read:

30 A. The evaluations and analyses of the justifi-
31 cation reports for the programs of the following
32 Group D-1 departments shall be reviewed by the
33 Legislature no later than June 30, 1986:

34 (1) Department of Business, Occupational
35 and Professional Regulation; and

36 (2) Department of Educational and Cultural
37 Services, but limited to the Maine State Li-
38 brary Bureau; State Museum Bureau; Arts and

1 Humanities Bureau; Bureau of Historic Pres-
2 ervation; and the Division of Management
3 Information and Division of Higher Education
4 Services.

5 Sec. 2. 3 MRSA §507, sub-§8, ¶A, as repealed and
6 replaced by PL 1983, c. 819, Pt. A, §3, is amended to
7 read:

8 A. Unless continued or modified by law, the fol-
9 lowing Group D-1 independent agencies shall ter-
10 minate, not including the grace period, no later
11 than June 30, 1986:

12 (1) Board of Directors of Energy Testing
13 Laboratory of Maine;

14 (2) State Historian;

15 (3) Historic Preservation Commission;

16 (4) Maine State Commission on the Arts and
17 Humanities;

18 (5) Maine Historical Society; ~~and~~

19 (6) Oil and Solid Fuel Board; ~~;~~

20 (7) Maine Library Commission; and

21 (8) Maine State Museum Commission.

22 Sec. 3. 3 MRSA §507, sub-§9, ¶A as repealed and
23 replaced by PL 1983, c. 819, Pt. A, §3, is amended
24 to read:

25 A. The evaluations and analyses of the justifica-
26 tion reports for the programs of the following
27 Group E-1 departments shall be reviewed by the
28 Legislature no later than June 30, 1988:

29 (1) Maine State Retirement System;

30 (2) Department of Attorney General;

31 (3) Department of Personnel; ~~and~~

1 (4) Department of Labor; and

2 (5) Department of Educational and Cultural
3 Services, except for the Maine State Library
4 Bureau; State Museum Bureau; Arts and
5 Humanities Bureau; Bureau of Historic Pres-
6 ervation; and the Division of Management
7 Information and Division of Higher Education
8 Services.

9 Emergency clause. In view of the emergency cited
10 in the preamble, this Act shall take effect when ap-
11 proved.

12 STATEMENT OF FACT

13 This bill moves most of the educational divisions
14 within the Department of Educational and Cultural
15 Services from a June 30, 1986, sunset review to a
16 June 30, 1988, review for the reasons contained in
17 the emergency preamble. It leaves all of the cultur-
18 al bureaus and commissions with a June 30, 1986, re-
19 view date and clarifies that the Maine State Museum
20 Commission and the Maine Library Commission are in-
21 cluded in the 1986 review.

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