

MAINE STATE LEGISLATURE

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R. of S.

L.D. 1915

(Filing No. S-372)

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**STATE OF MAINE
SENATE
115TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 730, L.D. 1915, Bill, "An Act to Reorganize the Management and Regulatory Functions of State Government Pertaining to Natural Resources"

Amend the bill by striking out everything after the title and before the statement of fact and inserting in its place the following:

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

PART A

Sec. A-1. 2 MRSA §6, sub-§1, as amended by PL 1989, c. 700, Pt. A, §8, is further amended to read:

1. Range 91. The salaries of the following state officials and employees shall-be are within salary range 91:

Commissioner of Transportation;

~~Commissioner of Conservation;~~

Commissioner of Natural Resources;

Commissioner of Finance;

Commissioner of Administration;

Commissioner of Education;

~~Commissioner of Environmental Protection;~~

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Commissioner of Human Services;
Commissioner of Mental Health and Mental Retardation;
Commissioner of Public Safety;
Commissioner of Professional and Financial Regulation;
Commissioner of Labor;
~~Commissioner of Agriculture, Food and Rural Resources;~~
~~Commissioner of Inland Fisheries and Wildlife;~~
~~Commissioner of Marine Resources;~~
Commissioner of Corrections; and
Commissioner of Economic and Community Development.

Sec. A-2. 2 MRSA §6, sub-§2, as repealed and replaced by PL 1989, c. 878, Pt. A, §3, is amended to read:

2. Range 90. The salaries of the following state officials and employees shall be are within salary range 90:

Superintendent of Banking;
Bureau of Consumer Credit Protection Superintendent;
State Tax Assessor;
Superintendent of Insurance;
Associate Commissioner for Programs, Department of Mental Health and Mental Retardation;
Associate Commissioner of Administration, Department of Mental Health and Mental Retardation; and
Associate Commissioner for Institutional Management; and
~~Executive Director, Maine Waste Management Agency.~~

Sec. A-3. 2 MRSA §6, sub-§3, as repealed and replaced by PL 1989, c. 878, Pt. A, §4, is amended to read:

3. Range 89. The salaries of the following state officials and employees shall be are within salary range 89:

Director of Public Improvements;

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- State Budget Officer;
- State Controller;
- ~~Director of the Bureau of Forestry;~~
- Chief of the State Police;
- Director, State Planning Office;
- Director, Energy Resources Office;
- Public Advocate;
- Commissioner of Defense and Veterans' Services;
- Director of Human Resources;
- Director, Bureau of Mental Retardation;
- Director, Bureau of Children with Special Needs; and
- Director, Bureau of Mental Health;
- Director, Bureau of Environmental Regulation;
- Director, Bureau of Land Use Regulation;
- Director, Bureau of Solid Waste Management;
- Director, Bureau of Fish and Wildlife Management;
- Director, Bureau of Public Lands Management;
- Director, Bureau of Forest Resources;
- Director, Bureau of Marine Resources;
- Director, Bureau of Agricultural Resources;
- Director, Bureau of Science and Research;
- Director, Bureau of Enforcement; and
- Director, Bureau of Administration.

Sec. A-4. 2 MRSA §6, sub-§4, as repealed and replaced by PL 1989, c. 700, Pt. A, §9; c. 875, Pt. E, §1; and c. 890, Pt. A, §1 and affected by §40, is repealed and the following enacted in its place:

4. Range 88. The salaries of the following state officials

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and employees are within salary range 88:

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- State Purchasing Agent;
- Director, Arts and Humanities Bureau;
- Director, State Museum Bureau;
- State Director of Alcoholic Beverages;
- State Librarian;
- Director of Employee Relations;
- Executive Director, Board of Environmental Protection; and
- Director, Historic Preservation Commission.

Sec. A-5. 2 MRSA §6, sub-§5, as amended by PL 1989, c. 612, is further amended to read:

5. Range 86. The salaries of the following state officials and employees shall-be are within salary range 86:

- Director of Labor Standards;
- Deputy Chief of the State Police;
- Director of State Lotteries;
- State Archivist;
- ~~Director of Maine Geological Survey;~~
- ~~Executive Director, Maine Land Use Regulation Commission;~~
- Director of the Risk Management Division;
- Chairman Chair, Maine Unemployment Insurance Commission;
- Director of the Bureau of State Employee Health;
- Child Welfare Services Ombudsman;
- Director of the Bureau of Intergovernmental Drug Enforcement;
- Deputy Director, Operations, Retirement System;
- Deputy Director, Investments, Retirement System;
- Deputy Director, Administrative and Legal Affairs, Retirement System; and

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Executive Director, Maine Science and Technology Commission.

Sec. A-6. 5 MRSA §933, as amended by PL 1983, c. 862, §11, is repealed.

Sec. A-7. 5 MRSA §935, as amended by PL 1987, c. 349, Pt. H, §§2 and 3, is repealed.

Sec. A-8. 5 MRSA §938, as amended by PL 1989, c. 111, is repealed.

Sec. A-9. 5 MRSA §942, as amended by PL 1983, c. 862, §14, is repealed.

Sec. A-10. 5 MRSA §945, as amended by PL 1989, c. 348, §1, is repealed.

Sec. A-11. 5 MRSA §953-A, as enacted by PL 1989, c. 585, Pt. A, §4, is repealed.

Sec. A-12. 7 MRSA c. 1, as amended, is repealed.

Sec. A-13. 12 MRSA c. 428, as amended, is repealed.

Sec. A-14. 12 MRSA §6021, as enacted by PL 1977, c. 661, §5, is repealed.

Sec. A-15. 12 MRSA §6022, as amended by PL 1989, c. 502, Pt. A, §35, is repealed.

Sec. A-16. 12 MRSA §6023, as amended by PL 1979, c. 541, Pt. B, §73, is repealed.

Sec. A-17. 12 MRSA §6051, as amended by PL 1987, c. 599, §1, is repealed.

Sec. A-18. 12 MRSA §6052, as amended by PL 1991, c. 285, §§1 to 3, is repealed.

Sec. A-19. 12 MRSA §7031, as amended by PL 1989, c. 493, §3, is repealed.

Sec. A-20. 12 MRSA §7032, as amended by PL 1989, c. 410, §22, is repealed.

Sec. A-21. 12 MRSA §7034, as amended by PL 1989, c. 913, Pt. A, §1, is repealed.

Sec. A-22. 12 MRSA §7035, as amended by PL 1991, c. 228, is repealed.

- 2 D. Director, Bureau of Agricultural Marketing;
4 E. Director, Bureau of Agriculture and Rural Resources;
6 F. Director, Bureau of Public Services; and
8 ~~G. Assistant to the Commissioner for Public Information; and~~
10 H. Assistant to the Commissioner for Potato Marketing.

12 **Sec. B-2. 5 MRSA §935, sub-§1, ¶¶H,** as enacted by PL 1983, c.
14 729, §4, is amended to read:

- 16 H. Forest Insect Manager, Bureau of Forestry; and

18 **Sec. B-3. 5 MRSA §935, sub-§1, ¶¶I and J,** as amended by PL 1987,
c. 349, Pt. H, §2, are repealed.

20 **Sec. B-4. 5 MRSA §938, sub-§1, ¶¶F and G,** as amended by PL
22 1987, c. 816, Pt. KK, §8, are further amended to read:

- 24 F. Director, Bureau of Water Quality Control; and
26 G. Director, Bureau of Oil and Hazardous Materials Control; and

28 **Sec. B-5. 5 MRSA §938, sub-§1, ¶¶H and I,** as enacted by PL
1987, c. 787, §3, are repealed.

30 **Sec. B-6. 12 MRSA §6022, sub-§3,** as amended by PL 1989, c.
32 348, §3, is further amended to read:

34 **3. Organization and personnel.** The commissioner shall
organize the department into the administrative units which the
36 commissioner decides are necessary to carry out its duties. The
commissioner shall hire all necessary employees of the department
subject to the Civil Service Law, except that persons in the
38 following positions shall ~~be~~ are appointed by and serve at the
pleasure of the commissioner: Deputy Commissioner; and Chief,
40 Bureau of Marine Patrol; ~~and Assistant to the Commissioner for
Public Information.~~ The Chief of the Bureau of Marine Patrol
42 shall must be appointed from among the patrol personnel of the
bureau with the rank of sergeant or higher. In the event that
44 the Chief of the Bureau of Marine Patrol is not reappointed, that
person shall ~~have~~ has the right to be restored to the classified
46 position from which that person shall ~~have been~~ was promoted or
to a position equivalent thereto in salary grade without
48 impairment of that person's personnel status or the loss of
seniority, retirement or other rights to which uninterrupted
50 service in the classified position would have entitled that

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2 person. If that person's service in the position of Chief of the
Bureau of Marine Patrol shall-be is terminated for cause, that
4 person's right to be so restored shall-be is determined by the
State Civil Service Appeals Board.

6 Sec. B-7. 12 MRSA §7034, sub-§2-A, as amended by PL 1985, c.
785, Pt. B, §69, is further amended to read:

8 2-A. Employment of personnel. The commissioner shall
10 employ, subject to the Civil Service Law, such employees as are
necessary to carry out the duties of his the organization, except
12 that persons in the following positions shall-be are appointed by
and serve at the pleasure of the commissioner: Deputy
14 Commissioner; and Game Warden Colonel;--and--Assistant--to--the
Commissioner--for--Public--Information.

16 The Game Warden Colonel shall must be appointed from among the
18 game wardens of the department with the rank of sergeant or
higher. In the event that the Game Warden Colonel is not
20 reappointed, he the Game Warden Colonel shall have the right to
be restored to the classified position from which he-shall-have
22 been that person was promoted or to a position equivalent thereto
in salary grade in an agency, without impairment of his personnel
24 status or the loss of seniority, retirement or other rights to
which uninterrupted service in the classified position would have
26 entitled him that person. If his that person's service in that
unclassified supervisory position shall-have-been is terminated
28 for cause, his that person's right to be so restored shall-be is
determined by the State Civil Service Appeals Board.

30 Sec. B-8. Personnel reductions. The following positions are
32 terminated.

34 1. Agriculture. Within the Department of Agriculture, Food
and Rural Resources the positions of Deputy Commissioner for
36 Policy Development, Assistant Commissioner for Public Information
and Director of Special Projects are terminated.

38 2. Conservation. Within the Department of Conservation the
40 positions of Assistant to the Commissioner and Assistant to the
Commissioner, Public Relations are terminated.

42 3. Environmental Protection. Within the Department of
44 Environmental Protection the 2 Director of Policy and Planning
positions and the Director of Public Information position are
46 terminated.

48 4. Inland Fisheries and Wildlife. Within the Department of
Inland Fisheries and Wildlife the positions of Assistant to the
50 Commissioner, Public Information; Public Relations

Representative; Public Relations Specialist; and Natural Science Educator are terminated.

Sec. B-9. Effective date. This Part takes effect October 1, 1991.

PART C

Sec. C-1. Special select committee; established. The Special Select Committee on the Reorganization of Natural Resource Management and Regulation is established to plan the implementation of the Department of Natural Resources.

1. Membership. The committee is made up of 15 members comprised of 6 Senators appointed by the President of the Senate, and 9 members of the House of Representatives appointed by the Speaker of the House of Representatives. Of those selected for membership, 3 must serve on the Joint Standing Committee on Agriculture, 3 must serve on the Joint Standing Committee on Energy and Natural Resources, 3 must serve on the Joint Standing Committee on Inland Fisheries and Wildlife, 3 must serve on the Joint Standing Committee on Marine Resources and 3 must serve on the Joint Standing Committee on State and Local Government. The committee shall elect its own chair. At least one Senator and 3 members of the House of Representatives must be members of the minority party in their respective bodies.

2. Charge. The Special Select Committee on the Reorganization of Natural Resource Management and Regulation shall design a procedure for the implementation by July 1, 1993 of the Department of Natural Resources as follows.

A. The Department of Natural Resources must be established within the executive branch to administer those laws of the State pertaining to the management, protection, improvement and promotion of the State's natural resources, and environmental quality.

B. The department must be administered by a commissioner who must be appointed by the Governor subject to review by the joint standing committee of the Legislature having jurisdiction over natural resources matters and subject to confirmation by the Legislature. The commissioner serves at the pleasure of the Governor.

(1) The commissioner is responsible for the sound management and administration of the department. On July 1, 1993 the commissioner has all of the decision-making responsibilities of the former

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2 Commissioner of Environmental Protection. In order to
3 make most efficient use of the department's resources,
4 the commissioner shall resolve all questions of
5 jurisdiction over regulatory matters that may arise
6 between bureaus.

7
8 (2) The commissioner shall conduct an ongoing effort
9 to plan for the management, utilization, enhancement
10 and protection of the natural resources of the State,
11 including its air, water, mineral, soil, forest, fish,
12 wildlife and agricultural resources. The commissioner
13 shall establish a process for collecting public input
14 to this effort and shall solicit the input of the
15 relevant advisory and regulatory boards and commissions
16 of the department. By January 1, 1994, the
17 commissioner shall submit to the Legislature a 5-year
18 agenda for natural resource management, utilization,
19 enhancement and protection. The agenda must include a
20 ranking of the most important natural resource issues
21 that, in the judgment of the commissioner, confront the
22 State.

23
24 C. The Environmental Appeals Office must be established
25 within the Department of Natural Resources. The Governor
26 shall make the appointments necessary to implement the
27 appeals process described in this section. Appointments to
28 the Environmental Appeals Office are subject to review by
29 the joint standing committee of the Legislature having
30 jurisdiction over natural resources matters and are subject
31 to confirmation by the Legislature. Any person appointed to
32 the office serves 5 year terms commencing no earlier than
33 July 1, 1993 and may only be removed for cause.

34 Except for those cases decided by the Board of Environmental
35 Protection, the Environmental Appeals Office shall review,
36 may, at the office's discretion, hold a hearing on and may
37 affirm, amend or reverse any of the following decisions.

38
39 (1) When a person is aggrieved by a decision of the
40 commissioner regarding final license or permit
41 decisions, that person may appeal the decision to the
42 Environmental Appeals Office within 30 days of the
43 filing of the decision. The office shall give written
44 notice to persons that have asked to be notified of the
45 decision. The office may review procedural issues,
46 issues of fact and conclusions of law. The office is
47 not bound by the commissioner's findings of fact or
48 conclusions of law but may adopt, modify or reverse
findings of fact or conclusions of law established by

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2 the commissioner. Any changes made by the office under
3 this subsection must be based on the office's review of
4 the record and any hearing held by the office.

6 (2) The Environmental Appeals Office may review
7 license or permit decisions made by the commissioner.
8 The office shall notify the commissioner of the
9 office's intent to review within 30 days of the filing
10 of the decision. The procedures for review are the
11 same as provided under subsection 1.

12 (3) The Environmental Appeals Office may review
13 license or permit decisions appealed to the Board of
14 Environmental Protection under another law. Unless the
15 law provides otherwise, the standard of review is the
16 same as provided under subsection 1.

18 D. The following bureaus are established on July 1, 1993.

20 (1) The Bureau of Environmental Regulation is
21 responsible for the administration of all state
22 permitting and licensing procedures established under
23 the Maine Revised Statutes, Title 7, chapter 103; Title
24 12, chapter 201-A, subchapter II; Title 22, section 42,
25 subsections 3 to 3-B; Title 22, chapter 258-A; and
26 Title 38, chapters 2 to 5, 9, 12-A to 14-A, 16 and 26.
27 The bureau shall also perform the functions of the
28 former Department of Environmental Protection with
29 regard to the provisions of Title 38, chapters 11, 12,
30 23 and 23-A. The bureau shall provide all necessary
31 staff support to the Board of Environmental Protection,
32 the Board of Pesticides Control and the Maine Land Use
33 Regulation Commission as required by the licensing and
34 permitting functions of these entities.

36 (2) The Bureau of Land Use Regulation shall provide
37 necessary staff support for the planning, zoning and
38 other regulatory functions of the Maine Land Use
39 Regulation Commission under Title 12, chapter 206-A.

40 (3) The Bureau of Solid Waste Management shall
41 administer the provisions of Title 38, chapter 24
42 regarding the reduction, reuse, recycling, composting
43 and disposal of solid waste.

44 (4) The Bureau of Fish and Wildlife Management shall
45 administer the provisions of Title 12, Part 10.

46 (5) The Bureau of Public Lands Management shall plan
47 for and manage the use of all publicly owned lands held
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2 and managed by the former Bureau of Public Lands under
4 Title 12, chapter 202; the former Bureau of Parks and
6 Recreation under Title 12, chapters 203 and 206; and
8 the former Department of Inland Fisheries and Wildlife
10 under Title 12, chapter 713, subchapter I.

12 (6) The Bureau of Forest Resources shall administer
14 the provisions of Title 12, Part 11 regarding the
16 protection, marketing and management of forest
18 resources.

20 (7) The Bureau of Marine Resources shall administer
22 the provisions of Title 12, Part 9 regarding the
24 protection, marketing and management of marine
26 resources.

28 (8) The Bureau of Agriculture shall administer the
30 provisions of Title 7; Title 32, chapters 27 and 28;
32 and any other provisions of law formerly administered
34 by the former Department of Agriculture, Food and Rural
36 Resources and not administered by another bureau under
38 this Title.

40 (9) The Bureau of Science and Research shall conduct
42 all scientific research necessary to support the
44 functions of the department. The bureau shall also
46 provide laboratory services to all other bureaus of the
48 department.

50 (10) The Bureau of Enforcement shall enforce all laws
administered by the department.

(11) The Bureau of Administration shall provide all
necessary staff support to the commissioner and shall
provide personnel, financial, data management and
administrative management services to all bureaus of
the department.

E. All bureau directors are appointed by the commissioner
subject to review by the joint standing committee of the
Legislature having jurisdiction over the subject matter of
the bureau and subject to confirmation by the Legislature.
A bureau director may not take office until July 1, 1993 and
serves at the pleasure of the commissioner.

3. Duties. The Special Select Committee on the
Reorganization of Natural Resource Management and Regulation
shall:

A. Design a procedure for the implementation of the
Department of Natural Resources as described in subsection 2;

2 B. Review and make recommendations regarding the procedures
4 for establishing the bureaus within the Department of
Natural Resources as provided in subsection 2, paragraph D;

6 C. Receive policy and legislative recommendations submitted
8 by the technical advisory committee established in section
C-2; and

10 D. Introduce legislation necessary to implement its
12 findings and recommendations to the Second Regular Session
or any Special Session of the 115th Legislature.

14 4. Rules. The special select committee is subject to all
16 joint rules adopted by the Legislature.

18 5. Meetings. The committee shall meet in December 1991 to
20 review the draft legislation prepared by the technical advisory
committee. All members of the committee must receive notice of
22 all meetings of the technical advisory committee and its
subcommittees.

24 6. Public involvement. The special select committee shall
26 hold at least one public hearing about the proposals forwarded to
them by the technical advisory committee. The special select
28 committee shall adopt other means of encouraging public input as
it deems necessary.

30 7. Repeal. This section is repealed on January 1, 1994.

32 **Sec. C-2. Technical Advisory Committee on the Formation of the
Department of Natural Resources; established; charge.** The Technical
34 Advisory Committee on the Formation of the Department of Natural
Resources, referred to in this section as "the technical advisory
36 committee," is established to recommend a plan and legislation
necessary to implement the Department of Natural Resources and to
38 effect the transition of all functions and necessary personnel of
the affected existing agencies to the new department.

40 1. Membership. The technical advisory committee is
42 composed of 14 members as follows:

44 A. Three members chosen by the President of the Senate, one
46 each representing fishery and wildlife interests and
business interests and one with legal training;

48 B. Three members chosen by the Speaker of the House of
50 Representatives, one each representing environmental
interests, agricultural interests and the employees of the
affected state agencies;

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2 C. Six members chosen by the Governor, one each
3 representing the business community, marine fisheries, solid
4 waste management, environmental interests, the forest
5 products industry and local government. The local
6 government representative must have training and background
7 as a city or town manager;

8
9 D. A cochair chosen jointly by the President of the Senate
10 and the Speaker of the House of Representatives; and

11 E. The Director of the State Planning Office who shall
12 serve as a cochair.

13
14 All appointments must be made within 10 days of the effective
15 date of this Act. The appointing authorities shall notify the
16 Executive Director of the Legislative Council upon making their
17 appointments.

18
19 2. **Convening.** When appointment of all members of the
20 technical advisory committee is completed, the Chair of the
21 Legislative Council shall call the technical advisory committee
22 together for its first meeting no later than October 1, 1991.

23
24 3. **Charge.** The technical advisory committee shall develop
25 and recommend to the Special Select Committee on the
26 Reorganization of Natural Resource Management and Regulation a
27 plan for the implementation of the Department of Natural
28 Resources. That plan must ensure that the department is designed
29 to achieve the following purposes:

30
31 A. Development and implementation of comprehensive,
32 integrated natural resource policy for the State;

33
34 B. Close coordination of all environmental regulatory
35 functions;

36
37 C. Efficient and coordinated law enforcement efforts;

38
39 D. Efficient administration of departmental personnel, and
40 fiscal, data management and other technical services;

41
42 E. Efficient regional delivery of services; and

43
44 F. Identification of properties and other real estate
45 surplus to the needs of the Department of Natural Resources.

46
47 In addition, the technical advisory committee shall prepare for
48 and recommend to the special select committee the legislation
49 necessary to transfer all functions and personnel of the affected
50

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state agencies to the Department of Natural Resources and to make all necessary changes in references to administrative and regulatory authorities throughout the laws of the State. The implementing legislation must contain provisions for early retirement incentives for all affected law enforcement personnel above the rank of sergeant or the equivalent in the nonmilitary law enforcement branches and for a schedule for conversion of the separate law enforcement staffs of the affected agencies into a single integrated command structure.

4. Advisory subcommittees. The cochairs of the technical advisory committee shall form a special advisory subcommittee on environmental regulation. This subcommittee consists of 2 members of the technical advisory committee representing business interests, 2 members representing nonprofit environmental interest groups, up to 2 members of the Special Select Committee on the Reorganization of Natural Resource Management and Regulation who serve on the Joint Standing Committee on Energy and Natural Resources and the cochairs of the technical advisory committee who shall also chair the subcommittee's meetings. This subcommittee shall draft proposals on environmental regulation issues, including a recommendation of whether the Environmental Appeals Office should be a single individual or a board, for the consideration of the technical advisory committee. In addition to any other matters it may consider, this subcommittee shall provide for the creation of a "licensing consultant" position within the Bureau of Environmental Regulation to familiarize applicants with the licensing process and to provide applicants with assistance during the process. The subcommittee shall consider the new position as an entry level position to all other licensing positions with the Bureau of Environmental Regulation.

The cochairs of the technical advisory committee are empowered to create other special advisory subcommittees as needed. The cochairs shall use the composition of the subcommittee on environmental regulation as a model for other subcommittees.

5. Staff. The technical advisory committee shall request staffing assistance from the Legislative Council. The Director of the State Planning Office shall form a working group of the commissioners, or their equivalent, of the affected state agencies and any other state officials designated by the Governor. The working group shall provide support to the technical advisory committee under the direction of the technical advisory committee cochairs and staff. The working group shall also assist the executive branch in the transfer of functions, personnel and equipment to the Department of Natural Resources.

6. Compensation. The members of the technical advisory committee who are Legislators are entitled to the legislative per

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2 diem as defined in Title 3, section 2 for each day's attendance
at technical advisory committee meetings and reimbursement for
4 travel and other necessary expenses upon application to the
Executive Director of the Legislative Council.

6 7. Report. The technical advisory committee shall present
the recommended plan and legislation to the Special Select
8 Committee on the Reorganization of Natural Resource Management
and Regulation no later than December 1, 1991. The special
10 select committee shall review and, if necessary, amend the
proposed plan and legislation and introduce it to the Second
12 Regular Session of the 115th Legislature no later than February
1, 1992.

14 8. Budget. The Executive Director of the Legislative
16 Council shall administer the technical advisory committee's
budget.

18 9. Repeal. This section is repealed on January 1, 1994.

20 Sec. C-3. Appropriation. The following funds are appropriated
22 from the General Fund to carry out the purposes of this Act.

24 1991-92 1992-93

26 AGRICULTURE, FOOD AND RURAL
28 RESOURCES, DEPARTMENT OF

Administration - Agriculture

30 Positions (-3) (-3)
32 Personal Services (\$115,428) (\$161,985)

34 Provides for the
deappropriation of funds due
36 to the elimination of a
Deputy Commissioner for
38 Policy Development position,
an Assistant Commissioner for
40 Public Incorporation position
and a Director of Special
42 Projects position.

44 DEPARTMENT OF AGRICULTURE, FOOD
46 AND RURAL RESOURCES
TOTAL (\$115,428) (\$161,985)

48 CONSERVATION, DEPARTMENT OF

**Administrative Services -
Conservation**

| | | | |
|----|------------------------------|------------|------------|
| 2 | | | |
| 4 | | | |
| 6 | Positions | (-1) | (-1) |
| 6 | Personal Services | (\$36,059) | (\$49,926) |
| 8 | Provides for the | | |
| 10 | deappropriation of funds due | | |
| 10 | to the elimination of an | | |
| 12 | Assistant to the | | |
| 12 | Commissioner, Public | | |
| 14 | Relations, position. | | |

**DEPARTMENT OF CONSERVATION
TOTAL**

| | |
|------------|------------|
| (\$36,059) | (\$49,926) |
|------------|------------|

**ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

**Administration - Environmental
Protection**

| | | | |
|----|------------------------------|-------------|-------------|
| 24 | Positions | (-3) | (-3) |
| 26 | Personal Services | (\$113,646) | (\$161,979) |
| 28 | Provides for the | | |
| 28 | deappropriation of funds due | | |
| 30 | to the elimination of 2 | | |
| 30 | Director of Policy and | | |
| 32 | Planning positions and one | | |
| 32 | Director of Public | | |
| 34 | Information position. | | |

**DEPARTMENT OF ENVIRONMENTAL
PROTECTION
TOTAL**

| | |
|-------------|-------------|
| (\$113,646) | (\$161,979) |
|-------------|-------------|

**INLAND FISHERIES AND WILDLIFE,
DEPARTMENT OF**

**Office of the Commissioner -
Inland Fisheries and Wildlife**

| | | | |
|----|------------------------------|-------------|-------------|
| 44 | Positions | (-4) | (-4) |
| 46 | Personal Services | (\$123,287) | (\$172,635) |
| 48 | Provides for the | | |
| 50 | deappropriation of funds due | | |
| 50 | to the elimination of an | | |

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2 Assistant to the Commissioner
3 for Public Information
4 position, a Public Relations
5 Representative position, a
6 Public Relations Specialist
7 position and a Natural
8 Science Educator position.

10 **DEPARTMENT OF INLAND FISHERIES
AND WILDLIFE**
11 **TOTAL** (\$123,287) (\$172,635)

12 **LEGISLATURE**

14 **Legislature**

16 Personal Services \$21,300
18 All Other 750
20 **TOTAL** \$22,050

22 Provides funds for the per
23 diem and expenses of the
24 Special Select Committee on
25 the Reorganization of Natural
26 Resource Management and
27 Regulation and a part-time
28 project Legislative Analyst
29 position to provide staff
30 support during the
31 legislative session.

32 **Technical Advisory Committee**
33 **on the Formation of the**
34 **Department of Natural Resources**

36 Personal Services \$1,925
38 All Other 7,250
40 **TOTAL** \$9,175

42 Provides funds for the
43 Technical Advisory Committee
44 on the Formation of the
45 Department of Natural
46 Resources for the per diem
47 and expenses of legislative
48 members, expenses of other
members, printing and

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2 miscellaneous committee
expenses.

4 LEGISLATURE
TOTAL \$31,225

8 TOTAL APPROPRIATIONS (\$337,670) (\$546,525)

10 Sec. C-4. Allocation. The following funds are allocated from
12 Other Special Revenue to carry out the purposes of this Act.

14 1991-92 1992-93

16 CONSERVATION, DEPARTMENT OF

18 Administrative Services -
Conservation

20 Positions (-5) (-5)
22 Personal Services (\$16,428) (\$23,894)

24 Provides for the
deappropriation of funds from
26 the elimination of an
Assistant to the Commissioner
28 position.

30 Sec. C-5. Allocation. The following funds are allocated from
the Federal Expenditure Fund to carry out the purposes of this
32 Act.

34 1991-92 1992-93

36 CONSERVATION, DEPARTMENT OF

38 Administrative Services -
Conservation

40 Positions (-5) (-5)
42 Personal Services (\$16,428) (\$23,894)

44 Provides for the
deappropriation of funds for
46 the elimination of an
Assistant to the Commissioner
48 position.

50 FISCAL NOTE

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1991-92 1992-93

APPROPRIATIONS/ALLOCATIONS

| | | |
|--------------|-------------|-------------|
| General Fund | (\$357,195) | (\$546,525) |
| Other Funds | (\$32,856) | (\$47,788) |

This bill establishes the Technical Advisory Committee on the Formation of the Department of Natural Resources and the Special Select Committee on the Reorganization of Natural Resource Management and Regulation. A General Fund appropriation to the Legislature of \$31,225 in fiscal year 1991-92 is required for the per diem and expenses of legislative members, printing and miscellaneous expenses of the technical advisory committee and for the per diem and expenses of the special select committee and a project position to staff the study during the legislative session.

This bill includes deappropriations of \$388,420 in fiscal year 1991-92 and \$546,525 in fiscal year 1992-93 and deallocations of \$32,856 in fiscal year 1991-92 and \$47,788 in fiscal year 1992-93 to be realized from the elimination of 12 positions from the Department of Agriculture, Food and Rural Resources, the Department of Conservation, the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife effective October 1, 1991. The savings to be realized from the reorganization of the departments with jurisdiction over the State's natural resources will depend on the recommendation of the study mentioned above and will not be realized until fiscal year 1993-94.'

STATEMENT OF FACT

The original bill creates a new Department of Natural Resources and establishes 2 committees to plan for the new department's implementation. This amendment removes the emergency preamble and clause and moves the effective date of the repeal of the existing agencies back one year to July 1, 1993. The amendment charges the Special Select Committee on the Reorganization of Natural Resources Management and Regulation to develop implementing legislation for the establishment of the Department of Natural Resources according to the specific details described in the charge. The immediate appointment of the new commissioner is delayed and the Director of the State Planning Office replaces the commissioner as a member of the special select committee and as a cochair of the Technical Advisory Committee on the Formation of the Department of Natural Resources. The membership of the special select committee is

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2 changed to require that the Legislators also be members of the
3 joint standing committees having jurisdiction over the agencies
4 involved in the reorganization. A total of 12 positions are cut
5 from the Department of Agriculture, Food and Rural Resources, the
6 Department of Conservation, the Department of Environmental
Protection and the Department of Inland Fisheries and Wildlife
effective October 1, 1991.

Reported by the Minority for the Committee on State and Local
Government. Reproduced and Distributed Pursuant to Senate Rule
12.

(6/26/91)

(Filing No. S-372)