

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST SPECIAL SESSION-1997

Legislative Document

No. 1712

H.P. 1212

House of Representatives, April 1, 1997

An Act to Create a Citizen Panel on Deregulation.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative MACK of Standish.
Cosponsored by Senator FERGUSON of Oxford and
Representatives: GERRY of Auburn, GOOLEY of Farmington, LAYTON of Cherryfield,
MacDOUGALL of North Berwick, MADORE of Augusta, O'BRIEN of Augusta, VIGUE of
Winslow, WINN of Glenburn.

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

4 Sec. 1. 1 MRSA c. 33 is enacted to read:

6 CHAPTER 33

8 CITIZEN PANEL ON DEREGULATION

10 §2611. Citizen Panel on Deregulation

12 1. Panel established. The Citizen Panel on Deregulation,
14 referred to in this chapter as the "panel," is established
pursuant to Title 5, section 12004-I, subsection 75-C to advise
the Legislature on obsolete or unnecessary statutory provisions
and rules that should be repealed.

16 2. Membership. The panel consists of the following 5
18 members: One member of the public, appointed by the Governor;
and 4 legislative members, one appointed by the President of the
20 Senate, one appointed by the Speaker of the House, one appointed
by the minority leader of the Senate and one appointed by the
22 minority leader of the House. Of the legislative members
selected, no more than 2 may be enrolled in the same political
24 party.

26 3. Terms; vacancies. The members of the panel serve 2-year
terms. A vacancy on the panel is filled promptly for the
28 remainder of the term in the same manner in which the position
was originally filled under subsection 2. If a vacancy remains
30 unfilled for more than 90 days, a temporary member of the panel
must be appointed by a vote of the remaining panel members to
32 serve with full powers of a panel member. A temporary member of
the panel serves until the vacancy is filled by the public
34 official with the power to appoint that member under subsection 2
and this subsection.

36 4. Prohibition on public service. Except for the
38 legislative members, a member of the panel may not hold any other
public office or be an employee or member of any state
40 department, agency, board or panel during the member's tenure on
the panel. A violation of this subsection by a member of the
42 panel results in immediate constructive resignation and the
resulting vacancy must be filled according to subsection 3.

44 5. Designation of chair. The members, by majority vote,
46 shall designate a chair from among their number who shall serve
for 2 years from the date of election or until a successor is
48 designated by majority vote and assumes the responsibilities.

2 6. Meeting; quorum; concurrence. The Executive Director of
the Legislative Council shall call the first meeting of the panel
4 no later than 5 days after the appointments are made. For all
subsequent meetings, the panel shall meet, either in person or by
6 teleconference, on the call of the chair or on the request of at
least 3 members. The presence of at least 3 members is required
8 to conduct a meeting. The concurrence of at least 3 members is
required for any formal action taken by the panel. The working
10 papers, draft reports and other papers of the panel in the
possession of a legislative employee are excepted from the
12 definition of public records in accordance with Title 1, section
402, subsection 3, paragraph C.

14 7. Duties. The panel shall:

16 A. Develop and provide a mechanism to identify obsolete or
unnecessary statutory provisions and rules;

18 B. Hold public hearings to determine laws to recommend to
20 repeal; and

22 C. Submit a report pursuant to subsection 11 on the panel's
findings and recommendations.

24 8. Administration. The Legislative Council shall provide
26 staff support for the panel.

28 9. Reimbursement. Members are entitled to reimbursement
for actual and necessary expenses related to the travel to and
30 from meetings of the panel when the expenses are approved by the
chair and submitted to the Executive Director of the Legislative
32 Council.

34 10. No compensation. The members of the panel are not
entitled to compensation for their services.

36 11. Report. No later than December 1st of each
38 odd-numbered year, the panel shall submit a biennial report to
the joint standing committee of the Legislature having
40 jurisdiction over judicial matters.

42 Sec. 2. 5 MRSA §12004-I, sub-§75-C is enacted to read:

44 <u>75-C.</u>	<u>Citizen</u>	<u>Expenses</u>	<u>1 MRSA</u>
<u>State</u>	<u>Panel on</u>	<u>Only</u>	<u>\$2611</u>
46 <u>Government</u>	<u>Deregulation</u>		

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SUMMARY

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This bill establishes the Citizen Panel on Deregulation to advise the Legislature on obsolete or unnecessary statutory provisions and rules that should be repealed.

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