



122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 631

H.P. 464

House of Representatives, February 8, 2005

An Act To Establish a Maine Law Sunset Review Committee

(EMERGENCY)

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

Millicent M. Mac Failand

MILLICENT M. MacFARLAND Clerk

Presented by Representative CROSTHWAITE of Ellsworth. Cosponsored by Senator DAVIS of Piscataquis and Representatives: CEBRA of Naples, JODREY of Bethel, JOY of Crystal, LINDELL of Frankfort, McLEOD of Lee, TRAHAN of Waldoboro.

Emergency preamble. Whereas, acts of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and 4 Whereas, it is important to commence statutory review and 6 maintenance as soon as possible to provide sufficient time for identification of obsolete and outdated laws; and 8 Whereas, in the judgment of the Legislature, these facts 10 create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and 12 safety; now, therefore, 14 Be it enacted by the People of the State of Maine as follows: 16 Sec. 1. 1 MRSA c. 31, as amended, is further amended by 18 repealing the chapter headnote and enacting the following in its place: 20 **CHAPTER 31** 22 **REVIEW OF STATUTORY PROVISIONS** 24 SUBCHAPTER 1 26 SPECIFIC STATUTORY PROVISIONS 28 Sec. 2. 1 MRSA c. 31, sub-c. 2 is enacted to read: 30 SUBCHAPTER 2 32 SUNSET REVIEW OF MAINE LAWS 34 §2621. Statutory sunset review 36 1. Committee: review. The joint standing or joint select 38 committee of the Legislature having jurisdiction over statutory sunset review, referred to in this subchapter as "the committee," shall conduct an ongoing review of the State's statutes to 40 identify obsolete and outdated laws. The committee may meet 42 during regular and special sessions of the Legislature and may meet, as authorized by the President of the Senate and the Speaker of the House of Representatives, between legislative 44 sessions. 46 2. Staff: assistance. The Legislative Council shall 48 provide staffing assistance to the committee. Appropriate departments of State Government may provide necessary assistance

in the review required under subsection 1 and in the report 2 preparation under subsection 3.

- 3. Report: legislation. The committee shall prepare and submit to the Legislature, within 30 days after the convening of the second regular session of each Legislature, a report identifying the statutes reviewed and the advisability of retaining each statute identified as potentially obsolete or outdated. The committee may submit recommended legislation to the second regular session of each Legislature.
- 12 **Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.
- 14
- 16

SUMMARY

18 This bill creates a process for a review of the Maine Revised Statutes to eliminate obsolete and outdated statutes. 20 The process is based on the assignment in each Legislature of a joint standing or joint select committee whose duties are to 22 review the Maine Revised Statutes and report at the beginning of the second regular session of that Legislature a summary of the 24 committee's work and any recommended legislation. The committee meets during legislative sessions and may meet between sessions as authorized by the presiding officers. The Legislative Council 26 provides staffing assistance. Other state agencies may provide 28 assistance.