

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

SECOND REGULAR SESSION-2014

Legislative Document

No. 1800

H.P. 1292

House of Representatives, March 4, 2014

**An Act To Update Statutory Dates for the State Government
Evaluation Act Review of Agencies**

Reported by Representative GRAHAM of North Yarmouth for the Joint Standing Committee on State and Local Government pursuant to Public Law 2013, chapter 307, section 9.

Reference to the Committee on State and Local Government suggested and ordered printed pursuant to Joint Rule 218.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

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

2 **Sec. 1. 3 MRSA §959, sub-§1**, as amended by PL 2013, c. 1, Pt. DD, §§1 and 2;
3 c. 368, Pt. V, §§1 and 2; and c. 405, Pt. D, §1, is further amended to read:

4 **1. Scheduling guidelines.** Except as provided in subsection 2, reviews of agencies
5 or independent agencies must be scheduled in accordance with the following.
6 Subsequent reviews must be scheduled on an ongoing basis every 8 years after the dates
7 specified in this subsection.

8 A. The joint standing committee of the Legislature having jurisdiction over
9 agriculture, conservation and forestry matters shall use the following list as a
10 guideline for scheduling reviews:

- 11 (1) Baxter State Park Authority in 2017;
- 12 (2) Board of Pesticides Control in 2019;
- 13 (3) Wild Blueberry Commission of Maine in 2019;
- 14 (4) Maine Dairy and Nutrition Council in 2015;
- 15 (5) Maine Dairy Promotion Board in 2015;
- 16 (6) Maine Milk Commission in 2015;
- 17 (7) State Harness Racing Commission in 2015;
- 18 (8) Maine Agricultural Bargaining Board in 2017;
- 19 (9) Department of Agriculture, Conservation and Forestry in 2017; and
- 20 (10) Land for Maine's Future Board in 2015.

21 B. The joint standing committee of the Legislature having jurisdiction over insurance
22 and financial services matters shall use the following list as a guideline for scheduling
23 reviews:

- 24 (1) State Employee Health Commission in ~~2009~~ 2017; and
- 25 (2) Department of Professional and Financial Regulation, in conjunction with the
26 joint standing committee of the Legislature having jurisdiction over business and
27 economic development matters, in ~~2007~~ 2015.

28 C. The joint standing committee of the Legislature having jurisdiction over business,
29 research and economic development matters shall use the following list as a guideline
30 for scheduling reviews:

- 31 (1) Maine Development Foundation in ~~2005~~ 2021;
- 32 (5) Department of Professional and Financial Regulation, in conjunction with the
33 joint standing committee of the Legislature having jurisdiction over banking and
34 insurance matters, in ~~2007~~ 2021;
- 35 (19) Department of Economic and Community Development in ~~2005~~ 2021;
- 36 (23) Maine State Housing Authority in ~~2007~~ 2015;

- 1 (32) Finance Authority of Maine in ~~2009~~ 2017;
- 2 (36) Board of Dental Examiners in ~~2011~~ 2019;
- 3 (37) Board of Osteopathic Licensure in ~~2011~~ 2019;
- 4 (38) Board of Licensure in Medicine in ~~2011~~ 2019;
- 5 (41) State Board of Nursing in ~~2011~~ 2019;
- 6 (42) State Board of Optometry in ~~2011~~ 2019; and
- 7 (45) State Board of Registration for Professional Engineers in ~~2011~~; and 2019.
- 8 ~~(50) Maine Science and Technology Foundation in 2007.~~

9 D. The joint standing committee of the Legislature having jurisdiction over criminal
10 justice and public safety matters shall use the following list as a guideline for
11 scheduling reviews:

- 12 (1) Department of Public Safety, except for the Emergency Services
13 Communication Bureau, in ~~2004~~ 2015;
- 14 (2) Department of Corrections in ~~2011~~ 2019; and
- 15 (3) The Maine Emergency Management Agency within the Department of
16 Defense, Veterans and Emergency Management in ~~2008~~ 2015.

17 E. The joint standing committee of the Legislature having jurisdiction over education
18 and cultural affairs shall use the following list as a guideline for scheduling reviews:

- 19 (2) Department of Education in ~~2005~~ 2021;
- 20 (2-A) State Board of Education in ~~2005~~ 2021;
- 21 (3) Maine Arts Commission in 2015;
- 22 (5) Maine Historic Preservation Commission in 2015;
- 23 (5-A) Notwithstanding section 952, Maine Historical Society in 2015;
- 24 (6) Maine Library Commission in 2015;
- 25 (6-A) Maine State Cultural Affairs Council in 2015;
- 26 (6-B) Maine State Library in 2015;
- 27 (6-C) Maine State Museum in 2015;
- 28 (7) Maine State Museum Commission in 2015;
- 29 (8) Office of State Historian in 2015;
- 30 (9) Board of Trustees of the Maine Maritime Academy in ~~2009~~ 2017;
- 31 (10) Board of Trustees of the University of Maine System in ~~2009~~ 2017;
- 32 (12) Maine Community College System in ~~2009~~ 2017;
- 33 (13) Maine Health and Higher Educational Facilities Authority in ~~2011~~ 2019;
- 34 and

- 1 (14) Maine Educational Loan Authority in ~~2011~~ 2019.
- 2 F. The joint standing committee of the Legislature having jurisdiction over health
3 and human services matters shall use the following list as a guideline for scheduling
4 reviews:
- 5 (6) Department of Health and Human Services in ~~2009~~ 2017;
- 6 (7) Board of the Maine Children's Trust Incorporated in ~~2011~~ 2019; and
- 7 (9) Maine Developmental Disabilities Council in ~~2011~~ 2019.
- 8 G. The joint standing committee of the Legislature having jurisdiction over inland
9 fisheries and wildlife matters shall use the following list as a guideline for scheduling
10 reviews:
- 11 (1) Department of Inland Fisheries and Wildlife in ~~2007~~ 2015; and
- 12 (2) Advisory Board for the Licensing of Taxidermists in ~~2007~~ 2015.
- 13 H. The joint standing committee of the Legislature having jurisdiction over judiciary
14 matters shall use the following list as a guideline for scheduling reviews:
- 15 (2) Maine Human Rights Commission in ~~2009~~ 2017;
- 16 (3) Maine Indian Tribal-State Commission in ~~2011~~ 2019; and
- 17 (4) Department of the Attorney General in ~~2011~~ 2019.
- 18 I. The joint standing committee of the Legislature having jurisdiction over labor
19 matters shall use the following list as a guideline for scheduling reviews:
- 20 (2) Department of Labor in ~~2007~~ 2015;
- 21 (3) Maine Labor Relations Board in ~~2009~~ 2017; and
- 22 (4) Workers' Compensation Board in ~~2009~~ 2017.
- 23 J. The joint standing committee of the Legislature having jurisdiction over legal and
24 veterans affairs shall use the following schedule as a guideline for scheduling
25 reviews:
- 26 (2) State Liquor and Lottery Commission in ~~2007~~ 2015;
- 27 (3) The Department of Administrative and Financial Services with regard to the
28 enforcement of the law relating to the manufacture, importation, storage,
29 transportation and sale of all liquor and the laws relating to licensing and the
30 collection of taxes on malt liquor and wine in ~~2007~~ 2015; and
- 31 (4) Department of Defense, Veterans and Emergency Management in ~~2011~~
32 2019, except for the Maine Emergency Management Agency within the
33 department.
- 34 K. The joint standing committee of the Legislature having jurisdiction over marine
35 resource matters shall use the following list as a guideline for scheduling reviews:
- 36 (1) Atlantic States Marine Fisheries Commission in ~~2005~~ 2021;
- 37 (2) Department of Marine Resources in ~~2005~~ 2021;

1 (4) Lobster Advisory Council in ~~2007~~ 2015; and

2 (5) Maine Sardine Council in ~~2007~~ 2015.

3 L. The joint standing committee of the Legislature having jurisdiction over natural
4 resource matters shall use the following list as a guideline for scheduling reviews:

5 (1) Department of Environmental Protection in ~~2007~~ 2017;

6 (2) Board of Environmental Protection in ~~2007~~ 2017;

7 (4) Saco River Corridor Commission in ~~2005~~ 2021; and

8 (5) Board of Underground Oil Tank Installers in ~~2011~~ 2019.

9 M. The joint standing committee of the Legislature having jurisdiction over state and
10 local government matters shall use the following list as a guideline for scheduling
11 reviews:

12 (1) Capitol Planning Commission in ~~2011~~ 2019;

13 (1-A) Maine Governmental Facilities Authority in ~~2005~~ 2021;

14 (2) State Civil Service Appeals Board in ~~2005~~ 2021;

15 (3) State Claims Commission in ~~2005~~ 2021;

16 (4) Maine Municipal Bond Bank in ~~2007~~ 2015;

17 (5) Office of Treasurer of State in ~~2007~~ 2015;

18 (6) Department of Administrative and Financial Services, except for the Bureau
19 of Revenue Services, in ~~2011~~ 2019; and

20 (7) Department of the Secretary of State, except for the Bureau of Motor
21 Vehicles, in ~~2011~~ 2019.

22 N. The joint standing committee of the Legislature having jurisdiction over taxation
23 matters shall use the following schedule as a guideline for scheduling reviews:

24 (1) State Board of Property Tax Review in ~~2011~~ 2019; and

25 (2) Department of Administrative and Financial Services, Bureau of Revenue
26 Services in ~~2011~~ 2019.

27 O. The joint standing committee of the Legislature having jurisdiction over
28 transportation matters shall use the following schedule as a guideline for scheduling
29 reviews:

30 (1) Maine Turnpike Authority in ~~2005~~ 2021;

31 (2) The Bureau of Motor Vehicles within the Department of the Secretary of
32 State in ~~2007~~ 2015;

33 (3) The Department of Transportation in ~~2007~~ 2015; and

34 (4) Maine State Pilotage Commission in ~~2009~~ 2017.

35 P. The joint standing committee of the Legislature having jurisdiction over utilities
36 and energy matters shall use the following list as a guideline for scheduling reviews:

- 1 (1) Public Advocate in ~~2005~~ 2015;
- 2 (2) Board of Directors, Maine Municipal and Rural Electrification Cooperative
3 Agency in ~~2007~~ 2015;
- 4 (3) Public Utilities Commission, including the Emergency Services
5 Communication Bureau, in ~~2007~~ 2015; and
- 6 (5) Telecommunications Relay Services Advisory Council in ~~2013~~ 2015.

7 Q. The joint standing committee of the Legislature having jurisdiction over
8 retirement matters shall use the following list as a guideline for scheduling reviews:

- 9 (1) Maine Public Employees Retirement System in ~~2013~~ 2021.

10 **Sec. 2. 3 MRSA §963**, as enacted by PL 1995, c. 488, §2, is amended to read:

11 **§963. Review**

12 The joint standing committee of the Legislature having jurisdiction over state and
13 local government matters shall review the provisions and effects of this chapter no later
14 than June 30, ~~2000~~ 2012 and at least once every 10 years after June 30, ~~2000~~ 2012.

15 **SUMMARY**

16 This bill is reported out by the Joint Standing Committee on State and Local
17 Government and updates dates in statute for the State Government Evaluation Act review
18 of agencies under the jurisdiction of joint standing committees pursuant to Public Law
19 2013, chapter 307, section 9. It also updates the date by which the joint standing
20 committee of the Legislature having jurisdiction over state and local government matters
21 must review the provisions and effects of the State Government Evaluation Act.

22 The committee has not taken a position on the substance of the bill and by reporting
23 this bill out the committee is not suggesting and does not intend to suggest that it agrees
24 or disagrees with any aspect of this bill. The committee is reporting the bill out for the
25 sole purpose of turning the draft into a printed bill that can be referred to the committee
26 for an appropriate public hearing and subsequent processing in the normal course. The
27 committee is taking this action to ensure clarity and transparency in the legislative review
28 of this bill.