

MAINE STATE LEGISLATURE

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L.D. 408

Date: 3-25-22

(Filing No. H-835)

STATE AND LOCAL GOVERNMENT

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 292, L.D. 408, "An Act To Amend the Laws Regulating the Operation of the Legislature"

Amend the bill by striking out the title and substituting the following:

'An Act To Update Dates and Committees of Jurisdiction for the State Government Evaluation Act Review of Agencies'

Amend the bill by striking out everything after the enacting clause and inserting the following:

Sec. 1. 3 MRSA §959, sub-§1, as amended by PL 2019, c. 378, §§1 and 2, is further amended to read:

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

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

- (1) Baxter State Park Authority in ~~2017~~ 2025;
- (2) Board of Pesticides Control in ~~2019~~ 2027;
- (3) Wild Blueberry Commission of Maine in ~~2019~~ 2027;
- (4) Maine Dairy and Nutrition Council in ~~2015~~ 2023;
- (5) Maine Dairy Promotion Board in ~~2015~~ 2023;
- (6) Maine Milk Commission in ~~2015~~ 2023;
- (7) State Harness Racing Commission in ~~2015~~ 2023;
- (8) Maine Agricultural Bargaining Board in ~~2017~~ 2025;

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- 1 (9) Department of Agriculture, Conservation and Forestry in ~~2017~~ 2025; and
- 2 (10) Land for Maine's Future Board in ~~2015~~ 2023.
- 3 B. The joint standing committee of the Legislature having jurisdiction over health
- 4 coverage, insurance and financial services matters shall use the following list as a
- 5 guideline for scheduling reviews:
- 6 (1) State Employee Health Commission in ~~2017~~ 2025; and
- 7 (2) Department of Professional and Financial Regulation, in conjunction with the
- 8 joint standing committee of the Legislature having jurisdiction over innovation,
- 9 development, economic advancement and business and ~~economic development~~
- 10 matters, in ~~2015~~ 2023.
- 11 C. The joint standing committee of the Legislature having jurisdiction over innovation,
- 12 development, economic advancement and business, ~~research and economic~~
- 13 ~~development~~ matters shall use the following list as a guideline for scheduling reviews:
- 14 (1) Maine Development Foundation in ~~2021~~ 2029;
- 15 (5) Department of Professional and Financial Regulation, in conjunction with the
- 16 joint standing committee of the Legislature having jurisdiction over health
- 17 coverage, insurance and financial services matters, in ~~2015~~ 2023;
- 18 (19) Department of Economic and Community Development in ~~2021~~ 2029;
- 19 ~~(23) Maine State Housing Authority in 2015;~~
- 20 (32) Finance Authority of Maine in ~~2017~~ 2025; and
- 21 (45) State Board of Registration for Professional Engineers in ~~2019~~ 2027.
- 22 D. The joint standing committee of the Legislature having jurisdiction over criminal
- 23 justice and public safety matters shall use the following list as a guideline for
- 24 scheduling reviews:
- 25 (1) Department of Public Safety, except for the Emergency Services
- 26 Communication Bureau, in ~~2015~~ 2023;
- 27 (2) Department of Corrections in ~~2019~~ 2027; and
- 28 (3) The Maine Emergency Management Agency within the Department of
- 29 Defense, Veterans and Emergency Management in ~~2015~~ 2023.
- 30 E. The joint standing committee of the Legislature having jurisdiction over education
- 31 and cultural affairs shall use the following list as a guideline for scheduling reviews:
- 32 (2) Department of Education in ~~2021~~ 2029;
- 33 (2-A) State Board of Education in ~~2021~~ 2029;
- 34 (3) Maine Arts Commission in ~~2015~~ 2023;
- 35 (5) Maine Historic Preservation Commission in ~~2015~~ 2023;
- 36 (5-A) Notwithstanding section 952, Maine Historical Society in ~~2015~~ 2023;
- 37 (6) Maine Library Commission in ~~2015~~ 2023;
- 38 (6-A) Maine State Cultural Affairs Council in ~~2015~~ 2023;

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- 1 (6-B) Maine State Library in ~~2015~~ 2023;
- 2 (6-C) Maine State Museum in ~~2015~~ 2023;
- 3 (7) Maine State Museum Commission in ~~2015~~ 2023;
- 4 (8) Office of State Historian in ~~2015~~ 2023;
- 5 (9) Board of Trustees of the Maine Maritime Academy in ~~2017~~ 2025;
- 6 (10) Board of Trustees of the University of Maine System in ~~2017~~ 2025;
- 7 (12) Maine Community College System in ~~2017~~ 2025; and
- 8 (13) Maine Health and Higher Educational Facilities Authority in ~~2019~~ 2027.

9 F. The joint standing committee of the Legislature having jurisdiction over health and
10 human services matters shall use the following list as a guideline for scheduling
11 reviews:

- 12 (6) Department of Health and Human Services in ~~2017~~ 2025;
- 13 (7) Board of the Maine Children's Trust Incorporated in ~~2019~~ 2027; and
- 14 (9) Maine Developmental Disabilities Council in ~~2019~~; and 2027.
- 15 ~~(10) The bureau or division within the Department of Administrative and Financial~~
- 16 ~~Services that administers and enforces the Maine Medical Use of Marijuana Act in~~
- 17 ~~2025.~~

18 G. The joint standing committee of the Legislature having jurisdiction over inland
19 fisheries and wildlife matters shall use the following list as a guideline for scheduling
20 reviews:

- 21 (1) Department of Inland Fisheries and Wildlife in ~~2015~~ 2023; and
- 22 (2) Advisory Board for the Licensing of Taxidermists in ~~2015~~ 2023.

23 H. The joint standing committee of the Legislature having jurisdiction over judiciary
24 matters shall use the following list as a guideline for scheduling reviews:

- 25 (2) Maine Human Rights Commission in ~~2017~~ 2029;
- 26 (3) Maine Indian Tribal-State Commission in ~~2019~~ 2027; and
- 27 (4) Department of the Attorney General in ~~2019~~ 2027.

28 I. The joint standing committee of the Legislature having jurisdiction over labor
29 matters shall use the following list as a guideline for scheduling reviews:

- 30 (2) Department of Labor in ~~2015~~ 2023;
- 31 (3) Maine Labor Relations Board in ~~2017~~ 2025; and
- 32 (4) Workers' Compensation Board in ~~2017~~ 2025.

33 J. The joint standing committee of the Legislature having jurisdiction over ~~legal and~~
34 ~~veterans~~ veterans and legal affairs shall use the following ~~schedule list~~ schedule list as a guideline
35 for scheduling reviews:

- 36 (2) State Liquor and Lottery Commission in ~~2015~~ 2023;

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1 (3) The Department of Administrative and Financial Services with regard to the
2 enforcement of the law relating to the manufacture, importation, storage,
3 transportation and sale of all liquor and the laws relating to licensing and the
4 collection of taxes on malt liquor and wine in ~~2015~~ 2023; and

5 (4) Department of Defense, Veterans and Emergency Management in ~~2019~~ 2027,
6 except for the Maine Emergency Management Agency within the department.

7 K. The joint standing committee of the Legislature having jurisdiction over marine
8 ~~resource~~ resources matters shall use the following list as a guideline for scheduling
9 reviews:

10 (1) Atlantic States Marine Fisheries Commission in ~~2021~~ 2029;

11 (2) Department of Marine Resources in ~~2021~~ 2029; and

12 (4) Lobster Advisory Council in ~~2015~~ 2023.

13 L. The joint standing committee of the Legislature having jurisdiction over
14 environmental and natural ~~resource~~ resources matters shall use the following list as a
15 guideline for scheduling reviews:

16 (1) Department of Environmental Protection in ~~2017~~ 2025;

17 (2) Board of Environmental Protection in ~~2017~~ 2025;

18 (4) Saco River Corridor Commission in ~~2021~~ 2029; and

19 (5) Board of Underground Oil Tank Installers in ~~2019~~ 2027.

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

23 (1) Capitol Planning Commission in ~~2019~~ 2027;

24 (1-A) Maine Governmental Facilities Authority in ~~2021~~ 2029;

25 (2) State Civil Service Appeals Board in ~~2021~~ 2029;

26 (3) State Claims Commission in ~~2021~~ 2029;

27 (4) Maine Municipal Bond Bank in ~~2015~~ 2023;

28 (5) Office of the Treasurer of State in ~~2015~~ 2023;

29 (6) Department of Administrative and Financial Services, except for the Bureau
30 of Revenue Services and the bureau or division within the department that
31 administers and enforces the Maine Medical Use of Marijuana Act, in ~~2019~~ 2027;
32 and

33 (7) Department of the Secretary of State, except for the Bureau of Motor Vehicles,
34 in ~~2019~~ 2027.

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

37 (1) State Board of Property Tax Review in ~~2019~~ 2027; and

38 (2) Department of Administrative and Financial Services, Bureau of Revenue
39 Services in ~~2019~~ 2027.

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COMMITTEE AMENDMENT "A" to H.P. 292, L.D. 408

1 O. The joint standing committee of the Legislature having jurisdiction over
2 transportation matters shall use the following ~~schedule~~ list as a guideline for scheduling
3 reviews:

- 4 (1) Maine Turnpike Authority in ~~2021~~ 2029;
- 5 (2) The Bureau of Motor Vehicles within the Department of the Secretary of State
6 in ~~2015~~ 2023;
- 7 (3) The Department of Transportation in ~~2017~~ 2025; and
- 8 (4) Maine State Pilotage Commission in ~~2017~~ 2025.

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

- 11 (1) Public Advocate in ~~2019~~ 2027;
- 12 (2) Board of Directors, Maine Municipal and Rural Electrification Cooperative
13 Agency in ~~2015~~ 2023;
- 14 (3) Public Utilities Commission, including the Emergency Services
15 Communication Bureau, in ~~2021~~ 2029; and
- 16 (5) Telecommunications Relay Services Council in ~~2017~~ 2025.

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

- 19 (1) Maine Public Employees Retirement System in ~~2021~~ 2029.

20 R. The joint standing committee of the Legislature having jurisdiction over
21 professional licensing of health care professions matters shall use the following list as
22 a guideline for scheduling reviews:

- 23 (1) Board of Dental Practice in ~~2019~~ 2027;
- 24 (2) Board of Osteopathic Licensure in ~~2019~~ 2027;
- 25 (3) Board of Licensure in Medicine in ~~2019~~ 2027;
- 26 (4) State Board of Nursing in ~~2019~~ 2027; and
- 27 (5) State Board of Optometry in ~~2019~~ 2027.

28 S. The joint standing committee of the Legislature having jurisdiction over medical
29 use of marijuana matters shall use the following list as a guideline for scheduling
30 reviews:

- 31 (1) The bureau or division within the Department of Administrative and Financial
32 Services that administers and enforces the Maine Medical Use of Marijuana Act in
33 2025.

34 T. The joint standing committee of the Legislature having jurisdiction over housing
35 matters shall use the following list as a guideline for scheduling reviews:

- 36 (1) Maine State Housing Authority in 2023.

37 **Sec. 2. 3 MRSA §963**, as amended by PL 2013, c. 505, §2, is further amended to
38 read:

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§963. Review

The joint standing committee of the Legislature having jurisdiction over state and local government matters shall review the provisions and effects of this chapter no later than ~~June 30, 2022~~ March 30, 2032 and at least once every 10 years ~~after June 30, 2022~~ thereafter. The committee may report out legislation during the session of the Legislature in which a review under this section is completed.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment replaces the bill, which is a concept draft, and changes the title. It updates the scheduling guideline dates in the State Government Evaluation Act. It updates the description of 4 joint standing committees. It moves review of the bureau or division within the Department of Administrative and Financial Services that administers and enforces the Maine Medical Use of Marijuana Act from the joint standing committee of the Legislature having jurisdiction over health and human services matters to the joint standing committee of the Legislature having jurisdiction over medical use of marijuana matters. It moves review of the Maine State Housing Authority from the joint standing committee of the Legislature having jurisdiction over business matters to the joint standing committee of the Legislature having jurisdiction over housing matters. It requires the joint standing committee of the Legislature having jurisdiction over state and local government matters to review the provisions and effects of the State Government Evaluation Act by March 30, 2032 and every 10 years thereafter and authorizes the committee to report out legislation based on its review.

FISCAL NOTE REQUIRED

(See attached)



130th MAINE LEGISLATURE

LD 408

LR 1515(02)

An Act To Amend the Laws Regulating the Operation of the Legislature

Fiscal Note for Bill as Amended by Committee Amendment *ACH-835*

Committee: State and Local Government

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Any additional costs to the Legislature are expected to be minor and can be absorbed within existing budgeted resources.