

Date: (Filing No. H-)

STATE AND LOCAL GOVERNMENT

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " " to H.P. 850, L.D. 1144, Bill, "An Act To Repeal Inactive Boards and Commissions"

Amend the bill by striking out all of sections 1 and 2.

Amend the bill by striking out all of sections 4 to 13.

Amend the bill by striking out all of sections 15 and 16.

Amend the bill by striking out all of sections 18, 20, 22, 25, 27, 28, 30, 32, 33 and 36.

Amend the bill by striking out all of sections 38 to 40 and inserting the following:

'Sec. 38. 5 MRSA §12006, sub-§2, as amended by PL 2009, c. 369, Pt. A, §11, is further amended to read:

2. Legislative repeal of inactive boards. The Secretary of State shall submit suggested legislation to the joint standing committee of the Legislature having jurisdiction over state government matters on or before January 30th in the first second regular session of each biennium to repeal those boards that have not reported on their activities to the Secretary of State under this section or section 12005-A during either for both of the prior 2 calendar years or have been inactive during the preceding 24 months. The joint standing committee of the Legislature having jurisdiction over state government matters may submit legislation to the first second regular session of each biennium to repeal those boards.'

Amend the bill by striking out all of sections 42, 44 and 45.

Amend the bill by inserting after section 46 the following:

'Sec. 47. 12 MRSA §6078-A, sub-§3, as enacted by PL 2003, c. 247, §19, is amended to read:

3. Expenditures; purpose. The commissioner may make expenditures from the fund to develop effective and cost-efficient water quality licensing and monitoring criteria, analyze and evaluate monitoring data and process lease applications. The commissioner shall expend the fund amounts in proportion to the amounts of revenue

COMMITTEE AMENDMENT

1 from finfish sources and shellfish sources. ~~In developing a program of expenditures, the~~
2 ~~commissioner shall consult with the Aquaculture Advisory Council established under~~
3 ~~Title 5, section 12004-I, subsection 57-C.~~ The commissioner may contract for services
4 privately or under memoranda of agreement with other state agencies.'

5 Amend the bill by striking out all of sections 48 to 50.

6 Amend the bill by striking out all of sections 51 and 52 and inserting the following:

7 **'Sec. 51. 20-A MRSA c. 7,** as amended, is repealed.

8 **Sec. 52. 20-A MRSA c. 117, sub-c. 5,** as amended, is repealed.

9 **Sec. 53. 20-A MRSA §7802, sub-§7,** as enacted by PL 1989, c. 899, §4, is
10 repealed.'

11 Amend the bill by striking out all of sections 54 to 57 and inserting the following:

12 **'Sec. 54. 20-A MRSA §7804,** as amended PL 2009, c. 147, §§6 and 7, is repealed.

13 **Sec. 55. 22 MRSA §255-A,** as enacted by PL 2007, c. 318, §2, is repealed.'

14 Amend the bill by striking out all of section 58.

15 Amend the bill by striking out all of sections 60 and 61 and inserting the following:

16 **'Sec. 60. 23 MRSA §1906, sub-§1,** as repealed and replaced by PL 1981, c. 318,
17 §1, is amended to read:

18 **1. Erection and maintenance.** The commissioner, ~~with the advice of the Travel~~
19 ~~Information Advisory Council,~~ shall designate locations for and erect official business
20 directional signs licensed under this chapter. The official business directional signs ~~shall~~
21 must be furnished and preserved by the applicant ~~thereafter~~ after the erection of the
22 official business directional signs and ~~shall must~~ conform to ~~regulations~~ rules issued by
23 the commissioner ~~with the advice of the Travel Information Advisory Council.~~ Such
24 ~~regulations shall~~ rules must be consistent with section 1910.

25 **Sec. 61. 23 MRSA §1909,** as repealed and replaced by PL 1981, c. 318, §1, is
26 amended to read:

27 **§1909. Eligibility for official business directional signs**

28 Lawful businesses and points of interest and cultural, historic, recreational,
29 educational and religious facilities are eligible for official business directional signs,
30 subject to this chapter and to rules ~~promulgated~~ adopted by the commissioner ~~with the~~
31 ~~advice of the Travel Information Advisory Council,~~ and to any federal law, rule or
32 regulation affecting the allocation of federal highway funds or other funds to or for the
33 benefit of the State or any agency or subdivision ~~thereof~~ of the State or any agency.

34 **Sec. 62. 23 MRSA §1910,** as amended by PL 1981, c. 576, §4, is further amended
35 to read:

36 **§1910. Types and arrangements of signs**

37 Subject to this chapter, the commissioner, ~~with the advice of the Travel Information~~
38 ~~Advisory Council,~~ shall regulate the size, shape, color, lighting, manner of display and

1 lettering of official business directional signs. A symbol may be specified for each type of
2 eligible service of facility for inclusion upon official business directional signs.

3 **Sec. 63. 23 MRSA §1912-B, last ¶**, as enacted by PL 1995, c. 416, §1, is
4 amended to read:

5 The commissioner, ~~with the advice of the Travel Information Advisory Council~~, shall
6 adopt rules to implement this section. Those rules may not be adopted until March 15,
7 1996. The commissioner shall report to the Joint Standing Committee on Transportation
8 in January 1996 on the development of those rules.

9 **Sec. 64. 23 MRSA §1925**, as amended by PL 1985, c. 785, Pt. B, §104, is further
10 amended to read:

11 **§1925. Administration of chapter**

12 The commissioner shall administer this chapter ~~with the advice of the Travel~~
13 ~~Information Advisory Council~~. The commissioner may employ, subject to the Civil
14 Service Law, clerical and other assistants required for the administration of this chapter.
15 The commissioner may delegate to personnel of the Department of Transportation the
16 authority to administer this chapter. The commissioner may ~~promulgate~~ **adopt** rules to
17 administer the various provisions of this chapter that are consistent with the provisions
18 ~~thereof of this chapter~~. The commissioner may execute contracts and other agreements to
19 carry out the purposes of this chapter.'

20 Amend the bill by striking out all of sections 63 to 66.

21 Amend the bill by striking out all of sections 68 and 69 and inserting the following:

22 **'Sec. 68. 37-B MRSA c. 8-A**, as amended, is repealed.

23 **Sec. 69. Transition.** Notwithstanding the Maine Revised Statutes, Title 5, section
24 12006, the Secretary of State shall submit suggested legislation to the Joint Standing
25 Committee on State and Local Government on or before January 30, 2012 to repeal those
26 boards that have not reported on their activities for 2011 to the Secretary of State under
27 Title 5, section 12005-A or 12006 but may not include those boards that report inactivity.
28 The joint standing committee may submit legislation to the Second Regular Session of
29 the 125th Legislature to repeal those boards.'

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

32 **SUMMARY**

33 This amendment removes the following boards and commissions from the bill, which
34 repeals inactive boards and commissions:

- 35 1. Acquired Brain Injury Advisory Council;
- 36 2. Advisory Board for the Licensing of Taxidermists;
- 37 3. Advisory Board of the Maine Learning Technology Fund;
- 38 4. Advisory Committee on Fair Competition with Private Enterprise;

- 1 5. Advisory Committee on School Psychological Service Providers;
- 2 6. Board of Trustees of the Maine School of Science and Mathematics;
- 3 7. Driver Education and Evaluation Programs Appeals Board;
- 4 8. Interagency Review Panel;
- 5 9. Judicial Compensation Commission;
- 6 10. Lobster Advisory Council;
- 7 11. Maine Biomedical Research Board;
- 8 12. Maine Drug Enforcement Agency Advisory Board;
- 9 13. Maine Fuel Board;
- 10 14. Maine Quality of Place Council;
- 11 15. Maine Vaccine Board;
- 12 16. Board of Directors of the Mixed Martial Arts Authority of Maine;
- 13 17. New England Board of Higher Education;
- 14 18. Prison Industries Advisory Council;
- 15 19. Probate and Trust Law Advisory Commission;
- 16 20. Seed Potato Board; and
- 17 21. State Employee Health Commission.

18 It also removes the Railroad Crossing Information Council from the bill because it
19 has already been repealed in Public Law 2011, chapter 79. The amendment also corrects
20 cross-references for boards and commissions that are being repealed in the bill. The
21 amendment changes the year that the Secretary of State is required to submit suggested
22 legislation to the joint standing committee of the Legislature having jurisdiction over state
23 government matters to on or before January 30th in the second regular session of the
24 biennium instead of in the first regular session. Suggested legislation for the Second
25 Regular Session of the 125th Legislature may only include boards that did not file an
26 annual report of activities for 2011 and will not include boards that have reported
27 inactivity for that one year.