

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 2410

H. P. 1902

House of Representatives, January 23, 1974

Referred to the Committee on State Government. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mr. Cooney of Sabattus.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FOUR

AN ACT Reorganizing Executive Staff Functions.

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

R. S., T. 2, c. 5, additional. Title 2 of the Revised Statutes is amended by adding a new chapter 5, to read as follows:

CHAPTER 5

EXECUTIVE STAFF OFFICES

§ 101. Executive staff office; secretaries

1. Offices. There is created and established the Office of Business Management, the Office of Government Policy and the Office of Finance and Administration. To head each office the Governor shall appoint a Secretary of the Office of Business Management, a Secretary of the Office of Government Policy and a Secretary of the Office of Finance and Administration on or after July 1, 1975 to serve until such time as the Governor shall appoint a new secretary for such office.

2. —Business Management. The Office of Business Management shall consist of the following as heretofore created and established; The Bureau of Purchases, the Department of Personnel, a Division of Property and Space Management consisting of services presently provided by the Bureau of Public Improvements, Central Computer Services, the State Lottery Commission, Central Management Services, including a motor pool, laboratory facilities and printing, a central management system, including the management and analysis functions of the Bureau of the Budget and business operations in-

cluding the Bureau of Alcoholic Beverages, the State Ferry System and the Maine State Pier in Portland.

3. —Government Policy. The Office of Government Policy shall consist of the following as heretofore created and established: The State Planning Office, in-house legal services presently provided by the Attorney General's Office, the Law Enforcement Planning and Assistance Agency, a citizens assistance office, a computer advisory board and the Department of Commerce and Industry.

4. —Finance and administration. The Office of Finance and Administration shall consist of the following as heretofore created and established: Insurance management services presently provided by the Maine Insurance Advisory Board, a bureau of corporate services, and the Division of Motor Vehicles transferred from the Secretary of State, the Maine State Retirement System, Bureau of the Budget, Bureau of Taxation, Bureau of Property Taxation and Bureau of Accounts and Control as presently provided by the Department of Finance and Administration, a Central Administrative Services Division for mail and certain designated licensing and the State Treasury.

§ 102. Coordinators; organizations

1. Coordinators. The Governor shall appoint a coordinator of the Office of Business Management, the Office of Government Policy and the office of Finance and Administration with the consultation of those public employees of the governmental units and activities effected.

2. —duties. The coordinators of the executive staff offices, with the assistance and approval of the Governor, shall prepare plans of organization for the respective offices into such bureaus as may be reasonably necessary for the purpose of efficient government responsibility and performance. The coordinators, with the assistance and approval of the Governor, shall prepare legislation to amend, repeal and rearrange statutes to reflect the powers, responsibilities and organizations of the respective offices to be presented by the Governor-elect to the regular session of the 107th Legislature in January of 1975. Such legislation shall have an effective date of July 1, 1975.

3. —legislation. The coordinators, with the assistance and approval of the Governor, may submit through the Governor-elect, legislation for the transfer from or to another State office or department such functions as would appear to properly belong to the other office or department or to the respective offices.

4. —budgets. The coordinators shall prepare budgets for the respective offices in accordance with Title 5, chapter 149 which budgets shall be submitted to the Governor for his approval.

5. —limitation. The coordinators shall have no powers or duties except those listed in this section. This section shall cease to be effective on June 30, 1975.

Sec. 2. R. S., T. 2, c. 7, additional. Title 2 of the Revised Statutes is amended by adding a new chapter 7 to read as follows:

CHAPTER 7
EXECUTIVE STAFF COMMITTEE

§ 151. Committee; members

There is created an Executive Staff Committee to consist of the Governor, the Secretary of the Office of Business Management, the Secretary of the Office of Government Policy, the Secretary of the Office of Finance and Administration and such other staff employees as may be chosen by the Governor.

The Executive Staff Committee shall help insure that the business of government is effectively managed and the policies and programs of the Governor and Legislature are carried out.

Sec. 3. Effective date. Section 2 of this Act shall become effective July 1, 1975.

STATEMENT OF FACT

The purpose of this Act is reflected in the Title and is intended to implement recommendations 7 and 8, Executive Branch, contained in the Maine Management and Cost Survey Report.

The purpose of Executive recommendations 7 and 8 is to reorganize the central staff and management functions of the Executive branch and to improve the administrative capabilities of State Government. The number of individuals reporting to the Governor is too large for effective control and there is a dispersion of policy-making responsibility in all levels of Government. This Act reorganizes staff functions to make them more responsive to the Governor and creates an advisory committee to the Governor made up of his executive staff heads. These recommendations, as modified and explained below, were supported by the Governor in his message of January 10, 1974.

This Act, though primarily concerned with Executive recommendations 7 and 8 of the Maine Management and Cost Survey, necessarily includes several others in various departments. Pursuant to recommendation 7 there are created 3 Executive Staff Offices to be headed by secretaries appointed by the Governor and to serve at his pleasure. The organization of these offices constitutes a major governmental reorganization involving the following recommendations: Number 9 in the Executive Branch; number 25 in the State Planning Office; numbers 1, 2 and 3 in the Department of Personnel and numbers 2, 9, 10, 13, 15 and 16 in the Department of Commerce and Industry; number 1 in Data Processing and number 1 in Printing and Duplicating.

Coordinators will be appointed for each of the 3 offices to organize the functions and budgets of each and to prepare legislation to be approved and presented by the Governor-elect to the 107th Legislature. This legislation shall include such internal reorganization of the new offices as may appear reasonably necessary.

In relation to recommendation number 7, Military, Civil Defense and Veterans' Services, Indian Affairs, and the Department of Public Safety are not included within the Office of Government Policy. After considerable study and consideration, it is the strong opinion of the Governor that these agencies are not sufficiently related to policy and ought not to be included in this governmental reorganization. The Law Enforcement Planning and Assistance Agency is added to the Office of Governmental Policy.

The records management of Maine State Archives has been deleted from the Office of Business Management because legislation affecting the State Archives has been submitted pursuant to another recommendation.

The extent to which legal services of the Attorney General's Office are intended to be incorporated into the Office of Government Policy and the relationship of the Attorney General's function to the Governor's Office will require special consideration.

To the Office of Business Management has been added the new State Lottery Commission.

Pursuant to Executive recommendation 8, there is created an Executive Staff Committee to advise the Governor. This Committee shall consist of the 3 secretaries of the Executive Staff Offices and such other state-employed individuals as the Governor may choose.

The coordinators for the organization of these offices shall be appointed on or after the effective date of this Act. The Executive Staff Offices and the Executive Staff Committee shall exist as of July 1, 1975.