

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 2448

H. P. 1912

House of Representatives, January 24, 1974

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

E. LOUISE LINCOLN, Clerk

Presented by Mr. Silverman of Calais.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FOUR

**AN ACT to Eliminate Unnecessary Qualifications for
Administrative Positions.**

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

R. S., T. 5, §§ 47 and 48, additional. Title 5 of the Revised Statutes is amended by adding 2 new sections 47 and 48 to read as follows:

§ 47. Nomenclature

All cabinet level line agencies shall be called "departments" and the head of each department hereafter created shall be designated as the "commissioner" of such department. All cabinet level staff agencies shall be called "offices" and the head of each executive staff office hereafter created shall be designated as the "secretary" of such office.

Each department and executive staff office shall be subdivided into as many "bureaus" as may be necessary and each such bureau shall be headed by a "director." Bureaus shall be further subdivided into as many "divisions" as may be necessary and each such division shall be headed by a "supervisor."

Nothing in this section shall be construed to change the title of any existing position.

§ 48. Qualifications of department and office heads

Notwithstanding any statutory provision to the contrary, all commissioners and secretaries as defined in section 47 shall be appointed on the basis of administrative capabilities rather than technical expertise in a particular

discipline, except when such expertise shall be demonstrably necessary to the performance of the duties of a particular position.

STATEMENT OF FACT

This Bill implements Management and Cost Survey Recommendation No. 2, Executive Branch. The purpose of this legislation is to appoint heads for each department and secretariat whose qualifications are administrative rather than technical. Additionally, uniform nomenclature is intended to afford administrative clarity.

This Bill was supported by the Governor in his Special Message of January 10, 1974 to the Special Session of the 106th Maine Legislature.