

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
107TH LEGISLATURE
FIRST SPECIAL SESSION

(Filing No. H-1255)

HOUSE AMENDMENT "D" to COMMITTEE AMENDMENT "A" to H.P. 1997,
L.D. 2197, "AN ACT Redistributing the Powers of the Executive
Council."

Amend said amendment by striking out all of that part
designated "Sec. 429-A." and inserting in place thereof the
following:

'Sec. 429-A. Intent of the Legislature. The present incumbents,
as of the effective date of this Act, in the offices set forth in
this section shall continue in their offices until the expiration
of the terms, whether coterminous with the Governor or for a term
of years, in which they currently serve. Such incumbents shall
be subject to removal for cause by the Governor with the approval
of the ~~Joint Standing~~ Committee which, under the applicable pro-
visions of this Act, reviews nominations to such offices. Vacancies
in those offices occurring after the effective date of this Act
shall be filled according to the applicable provisions of this Act
and successors in these offices after that date shall serve subject
to the applicable provisions of this Act.

The offices to which this section applies are the Commissioner
of Finance and Administration as described in Title 5, section 287;
the Commissioner of Agriculture as described in Title 7, section 1;
the Commissioner of Business Regulation as described in Title 10,
section 8001; the Commissioner of Inland Fisheries and Wildlife
as described in Title 12, section 1951; the Commissioner of Marine
Resources as described in Title 12, section 3451; the Commissioner

of Conservation as described in Title 12, section 5011; the Commissioner of Educational and Cultural Services as described in Title 20, section 1-A; the Commissioner of Human Services as described in Title 22, section 1; the Commissioner of Transportation as described in Title 23, section 4205; the Commissioner of Public Safety as described in Title 25, section 2901 (and the Chief of the State Police, if the same person, as described in Title 25, section 1501); the Commissioner of Manpower Affairs as described in Title 26, section 1401; the Commissioner of Mental Health and Corrections as described in the Title 34, section 1 and the Commissioner of Environmental Protection as described in Title 38, section 341.

Statement of Fact

The purpose of the amendment is to provide that the commissioners of major departments, who are subject to the terms of this transitional provision, may be removed from office for cause by the Governor with the approval of the appropriate joint standing committee. The amendment adds the requirement of committee approval.

Filed by Mr. Cooney of Sabattus.

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