

MAINE STATE LEGISLATURE

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

(Filing No. H-1212)

HOUSE AMENDMENT "D" to COMMITTEE AMENDMENT "A" to
H.P. 2143, L.D. 2286, Bill, "AN ACT to Reorganize or Repeal
Certain Activities and Agencies in Maine State Government."

Amendment
Amend said / by inserting after the 2nd paragraph
of section 9 the following:

'The commissioner shall have the power to appoint associate
commissioners, and bureau and institutional heads as shall be
necessary for the proper performance of the duties of the department.'

The commissioner shall appoint an associate commissioner for
program and an associate commissioner for administration to assist
in carrying out the responsibilities of the department. The associate
commissioner for program shall be a person with training and
experience in the planning and administration of human services.
The associate commissioner for administration shall be a person
with training and experience in general management.'

Further amend said Amendment by striking out all of the
12th, 13th and 15th paragraphs and inserting in place thereof
the following:

'The bureau directors and the heads of the several institutions within the department shall report directly to the commissioner.

In the event of a vacancy in the office of the commissioner or during his absence or disability, the associate commissioner for program shall perform such duties and have the same powers as provided by law for the commissioner. In the event of vacancy in both the office of commissioner and the office of the associate commissioner for program, or during the absence or disability of both officials, the associate commissioner for administration shall perform such duties and have the same powers as provided by law for the commissioner.

Wherever in this Title powers and duties are given to the department, these may be and shall be assumed and carried out by such of the associate commissioners, bureau directors or institutional heads as the commissioner may designate from time to time, and these powers and duties so delegated may in turn be delegated by the aforesaid officers with the approval of the commissioner.'

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HOUSE AMENDMENT/to COMMITTEE AMENDMENT "A" to H.P. 2143,

L.D. 2286

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Further amend said Amendment in the 16th paragraph in that part designated "§526." by striking out in the 2nd line the underlined words "and consent"; in the 3rd line by inserting after the underlined word "salary" the underlined punctuation and words ', subject to the approval of the Governor and Council,'; and by striking out in the 9th to 11th lines the underlined punctuation and words ', provided that the commissioner shall obtain the advice of the advisory commission prior to removing the Director of Corrections from office'

Further amend said Amendment in the 18th paragraph in that part designated "§2002." in the 2nd line by striking out the underlined words "and consent" and by inserting in the 3rd line after the underlined word "salary" the underlined punctuation and words ', subject to the approval of the Governor and Council,'; and by striking out in the 9th to 11th lines the underlined punctuation and words ', provided that the commissioner shall obtain the advice of the committee prior to removing the Director of Mental Health from office'

Further amend said Amendment in the 20th paragraph in that part designated "§2062." by striking out in the 2nd line the underlined words "and consent"; by inserting in the 4th line after the underlined word "salary" the underlined punctuation and words ', subject to the approval of the Governor and Council,'; and by striking out in the 10th to 12th lines the underlined punctuation and words ', provided that the commissioner shall obtain the advice of the committee prior to removing the Director of Mental Retardation from office'

Further amend said Amendment by striking out all of the 3rd paragraph before the Statement of Fact.

Statement of Fact

This amendment brings the Department of Mental Health and Corrections in line with other departments for appointments, the Department of like/Human Services. It also removes clauses that freeze some positions in classified service until July 1, 1980.

Filed by Mr. Cooney of Sabattus.

Reproduced and distributed under the direction of the Clerk of the House.
4/6/76

(Filing No. H-1212)