

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. H-916)

HOUSE AMENDMENT "K" to S.P. 590, L.D. 1896, Bill,
"AN ACT to Make Additional Corrections of Errors and Inconsistencies
in the Laws of Maine."

Amend the bill by inserting after section 116 the
following:

'Sec. 116-A. 30 MRSA §4602, sub-§2, ¶B, 1st sentence,
as last amended by PL 1975, c. 771, §326, is further amended to
read:

The state authority shall have 6 commissioners, 5 of whom shall
be appointed by the Governor, subject to review by the Joint
Standing Committee on State Government and to confirmation by the
Legislature.'

Further amend the Bill in section 118 by striking out every-
thing after the amending clause and inserting in its place the
following:

'Each advisory board member and commissioner shall continue to
hold office after the expiration of his term until his successor
shall have been appointed and, in the case of commissioners,
~~confirmed by the Executive Council~~ reviewed by the Joint Standing
Committee on State Government and confirmed by the Legislature.'

Further amend the bill by inserting after section 118 the following:

'Sec. 118-A. 30 MRSA §4604, 1st sentence, as amended by PL 1969, c. 470, §10, is repealed and the following enacted in its place:

For inefficiency or neglect of duty or misconduct in office, a commissioner or director may be removed after a hearing by the governing body of the city or the selectmen of the town, or by the Governor with the advice and consent of a majority of the commissioners in the case of the state authority, provided he shall have had an opportunity to be heard in person or by counsel and been given a copy of the charges at least 10 days prior to the hearing.'

Statement of Fact

Formerly the Commissioners of the Maine Housing Authority required confirmation by the Executive Council. The Judiciary Committee left the sole appointment to the Governor. This amendment will require confirmation by the State Government Committee.

The Governor may remove the Director of the State Housing Authority upon the bringing of charges of "inefficiency or neglect of duty or misconduct in office" and after a hearing before the Governor. The Governor himself may bring such charges would serve as both accuser and hearing officer. The proposed changes and in such a situation simply intended to assure that a director of the State Housing Authority has the opportunity for

a hearing before the commissioners of the authority who have
statutory responsibility for authority oversight, prior to his
removal by the Governor.

Filed by Mrs. Najarian of Portland.

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

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