

MAINE STATE LEGISLATURE

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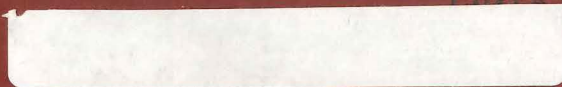


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STATE GOV

MAINE



REPORT
OF THE
MAINE CITIZENS COMMITTEE
ON THE
SURVEY OF STATE GOVERNMENT
BY THE
PUBLIC ADMINISTRATION SERVICE
OF CHICAGO

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FOREWORD

The Resolve enacted by the 97th Maine Legislature authorizing a study of the government of the State of Maine also provided that the Governor name a citizens committee to scan the report itself, and transmit its own findings and recommendations to the 98th Legislature.

Following publication of the Public Administration Service report, the committee was selected in October and has been at work ever since. In spite of the brief time elapsing before convening of the 98th Legislature, the committee determined to undertake a thorough study of each phase of the PAS report. To accomplish this the full committee was broken into subcommittees, each being given a specific section of the report, and later on new sections.

We conceived it to be the duty of this representative group of citizens to assemble as much expert testimony as possible, and then apply both to the testimony and the PAS report a common sense approach to the State problems presented.

This progressive evaluation of the work of PAS enables the full committee to deliver these recommendations to the Governor and the Legislature fairly early in the session so that their reactions may be translated into the drafting of legislation.

On the following pages will be found the names of the members of the citizens committee and its majority opinions regarding the leading questions raised by the PAS report, but in condensed form. In most cases, but not necessarily in all, the full committee has accepted the views of each subcommittee majority.

This drastically condensed version of the committee findings and recommendations is intended for quick reference by members of the 98th Legislature. Complete reports drawn by the subcommittees, including both majority and minority opinions, plus the composition of these groups, are on file at the State Library, and in the offices of the Speaker of the House and President of the Senate. There will be a few supplementary studies not available for inclusion in this booklet; they will be mimeographed and distributed to the legislators upon completion.

MEMBERS OF THE CITIZENS COMMITTEE

CHAIRMAN:

Former Chief Justice Raymond Fellows, Bangor

LEGISLATORS:

Senators: Robert N. Haskell, Bangor
Alton A. Lessard, Lewiston

Representatives: Lucia E. Cormier, Rumford
Armand Duquette, Biddeford
Frank Pierce, Bucksport
Rodney E. Ross, Jr., Bath

MEMBERS AT LARGE:

Lowell E. Bailey, Anson, President, Maine Municipal Association
Clinton Barlow, East Boothbay, President, Maine Seiners & Weirmens Association
Denis Blais, Lewiston, Area Director, Textile Workers Union of America, A. F. of L.-C. I. O.
Harold B. Clifford, East Boothbay, former superintendent of schools
Gerald Cole, Portland, President, Cole's Express
Llewellyn Colomy, Hallowell, former President, Maine Fish & Game Association
Maynard Dolloff, Augusta, Master, Maine State Grange
John Donovan, Lewiston, Professor of Government, Bates College
Benjamin Dorsky, Bangor, President, Maine State Federation of Labor
Edward Dow, Orono, Professor of Government, University of Maine
Frederick W. Downing, Augusta, Executive Secretary, Maine State Employees Association
Richard J. Dubord, Waterville, Attorney, Democratic National Committeeman
Joseph J. Freeman, Presque Isle, businessman
Kenneth Hancock, Casco, lumber operator
Harrison C. Lyseth, Portland, Superintendent of Schools
Joseph McGonigle, Skowhegan, Attorney
E. C. Moran, Rockland, Insurance, former U. S. Congressman
Malcolm Noyes, Franklin, former State Senator

Wallace E. Parsons, Waterville, President, Keyes
Fibre Company

Margaret Payson, Portland, social worker

Edward Penley, Lewiston, Editorial writer, Lewiston
Daily Sun

Paul Plumer, Augusta, Editor, Kennebec Journal

Mrs. Richard Sampson, Lewiston, President, League
of Women Voters

Halsey Smith, Portland, President, Casco Bank &
Trust Co.

Col. Malcolm Stoddard, Togus, Manager of Veterans
Administration Center

Paul Thurston, Bethel, Member of Maine Turnpike
Authority and former member of Maine State
Highway Commission

Kenneth C. Tipper, Waterville, former State Finance
Chairman of Republican Party

Clement Vose, Brunswick, Professor of Government,
Bowdoin College

Mary Worthley, West Lebanon, research worker

SECRETARY AND RESEARCH CONSULTANT:

Edith L. Hary, Hallowell, Law Librarian, Maine
State Library

CONSTITUTIONAL ISSUES

Office of the Governor: The full Committee recommends unanimously that the Legislature submit to Maine voters a proposed amendment to the Constitution providing a four year term for Governor.

Appointive Powers: This question is limited to the four State officers whose selection is provided by the Constitution. A majority of the Committee recommends that the Secretary of State be appointed by the Governor and confirmed by the Council, with a term coinciding with that of the Governor's own.

The full Committee declines to recommend that the State Treasurer continue to be elected by the Legislature but suggests that the subject of continuing the State Treasurer's office be given further study by the Citizens Committee or by the Legislative Research Committee.

A majority of the Committee urges that the Attorney General continue to be elected by the Legislature but requests further study of the question of popular election.

A majority recommends that the Commissioner of Agriculture be appointed by the Governor and confirmed by the Council, with a term coinciding with that of the Governor's.

Executive Council: It is recommended that the Executive Council be popularly elected in the present districts, and on the same inter-county and intra-county basis existing in the current system of apportionment;

That the Council serve primarily as an advisory body;

That it have the power to confirm only judicial and major departmental appointments;

That it may advise on pardons and related matters, subject to specific recommendations from the parole board; and

That with some exceptions, such as working capital advances, transfers from the contingent fund, and statutory appropriation adjustments, its financial powers be advisory only.

Election date: The Committee recommends a constitutional amendment be voted and submitted to the electorate changing the date of Maine's biennial elections to the first Tuesday after the first Monday in November, in conformity with the national pattern.

Annual Sessions: The Committee does not recommend annual sessions.

CORRECTIONAL PROGRAM

In this broad field of social welfare and institutional service, the Committee makes these recommendations relating to corrections and mental health;

That a statewide system of probation and parole be established under a Director of Probation and Parole named by the Director of Corrections, together with a Parole Board whose members shall be the Director of Corrections and two other persons appointed by the Governor;

That instead of setting up a separate Department of Corrections, the present central staff of the Department of Institutional Service be expanded to include a deputy commissioner, a director of engineering and maintenance, a director of mental health, and a director of corrections;

That the Personnel Board re-evaluate the current pay scale for State employees, with particular attention to correction and institutional services.

EDUCATION

Eight questions covering the vital aspects of this section were all answered in the affirmative by majorities of the full Committee:

1) That the Commissioner of Education be appointed by the Governor;

2) That the State Board of Education be selected from the State at large, by legislative repeal of the statutory provisions requiring special interest representation;

3) That the Commissioner of Education be given full administrative and appointive powers within the Department, with the State Board confined to policy-making and other selected functions;

4) That the Department create a division of planning and research;

5) That the State School for the Deaf be transferred to the Department;

6) That members of the State Board be paid a per diem allowance of \$10.00;

7) That the Legislature study further organizational changes urged in the PAS report; and

8) That the Legislature reactivate the State Museum as an educational aid.

HEALTH AND WELFARE

The Committee gives its approval to the following proposals:

That the Legislature approve the bill to provide salary increases for State employees;

That the 18% of the cost of grants to Aid to Dependent Children public assistance program, now paid for by towns of settlement, be absorbed by the State;

That the Legislature appropriate sufficient funds to enable the Department of Health and Welfare to raise present board rates for foster family care of children in the custody of the State to ten dollars a week;

That the citizenship requirement for eligibility in Old Age Assistance be removed;

That the action of Governor Muskie in recommending increases in the categorical grants as set forth in his supplemental appropriation measure be commended;

That the Military and Naval Children's Home in Bath now placed in the Department of Institutions be transferred to the Department of Health and Welfare;

That the Legislature authorize the Governor to name a committee to study the settlement laws, with funds for technical assistance, and convey recommendations to the 99th Legislature;

That while it may be too soon to establish a separate Department of Mental Health, the present Division of Mental Health in the Department of Health and Welfare should be expanded under a full-time director;

That the Legislature authorize the Governor to establish a committee which will study all aspects of the mental health problem and report to the 99th Legislature;

That in the field of tuberculosis control, a specially-trained director be named, enjoying a sufficient salary; that diagnostic laboratory facilities be transferred to the Central Maine Sanatorium at Fairfield; that the means test and the \$2.00 charge to towns of settlement be discarded; that local health authorities be permitted to initiate commitment proceedings; that definite plans be made during the current biennium so that by the end of that period the Northern Maine Sanatorium shall be closed, with the Western Maine Sanatorium also to be closed upon assurance later on that Fairfield can take care of its patients; and that all future construction and improvement funds for TB control be spent at the Central Maine Sanatorium;

That no new persons be added to the list of Special Resolve pensions; and

That the Division of Veterans Affairs be left independent instead of transferring it to Health and Welfare, as suggested by PAS.

LABOR AND INDUSTRIAL RELATIONS

The Committee opposes the PAS recommendation for creation of a Department of Labor and Industrial Relations, believing that no financial savings would be made, while evidence does not indicate any expectation of improvement in services now rendered, nor an increase in efficiency. The Committee does recommend enactment of a fair State minimum wage law, an expansion of the division of research and statistics within the Department of Labor, and consolidation of existing labor laws.

NATURAL RESOURCES

Rather than the creation of a proposed Department of Natural Resources, the Committee recommends that the Governor consider establishing by executive order a Natural Resource Council representing departments and agencies linked to Maine's natural resources, charged with discussing policies and activities of the agencies concerned, and acting as a liaison body with the Governor.

PLANNING AND DEVELOPMENT

The Committee recommends that the name of the Department of Development of Industry and Commerce (DDIC) be changed to Department of Economic Development;

It recommends that the research and planning functions of the department be expanded both in personnel and scope; since it is charged with preparing a "master plan" for the State, the Legislature should consider a statute directing the appropriate agencies of State government to cooperate with the Department of Economic Development on the projected "master plan";

It urges that the Maine Mining Bureau be absorbed by the Division of Geology within the department;

It urges that the Divisions of Public Relations and Geology be given statutory sanction by the Legislature;

It recommends that departmental funds earmarked for advertising and promotion of their respective products by Sea and Shore Fisheries and the Agriculture Department be budgeted directly by these departments; and

It urges that the Legislature remove from the Department of Economic Development responsibility for encouragement of settlement in Maine of persons of Baltic origin.

PUBLIC PROTECTION

The Committee agrees with the PAS proposal for the creation of a Department of Public Safety, headed by a commissioner enjoying a four year term. It recommends that it include the State Police, a Bureau of Fire Protection (now in the Insurance Department) a Bureau of Motor Vehicles (now in the office of Secretary of State) and a Bureau of Administration.

It does not recommend inclusion of Civilian Defense and the Maine Aeronautics Commission in the new department.

PUBLIC WORKS

The Committee opposes the several recommendations of PAS for a proposed Department of Public Works. It opposes replacement of the State Highway Commission by a Director of Highways named by the Governor for a four year term coinciding with his own; it opposes creation of an advisory board to assist the commissioner of the State Highway Commission; and it opposes redefinition of the position of Chief Engineer and creation of the new post of Chief Administrative Officer.

REGULATION OF BUSINESSES, PROFESSIONS AND SPORTING EVENTS

The Committee recommends that the Banking and Insurance Departments retain their independent status.

Regarding Insurance, the Committee urges strengthening of the Department through hiring of added examiners; a probe of premium charges for automobile physical-damage insurance; authorization by the Legislature of an examination and rewriting of the State insurance laws; administration by the Department of Finance and Administration of the insurance of State property; and the purchase of deductible insurance on State property rather than undertaking of self-insurance.

The Committee agrees that Banking Department expenditures should continue to be met from dedicated revenues accumulated in special revenue funds.

The Committee suggests further consideration be given to the creation of a Bureau of Professional and Occupational Licensing, performing the administrative work of twenty-one special boards.

STAFF SERVICES

Governor's Staff. The Committee recognizes the inadequacies of prior legislative appropriations for the staff of the executive department, and suggests to the current Legislature that '57-'58 and '58-'59 executive department appropriations provide for an increase of at least \$50,000 per year for the employment of more adequate staff, consistent with the ever expanding responsibilities of the Chief Executive.

The Committee also recognizes the gross inadequacies of the office facilities existent at present and strongly recommends that space at least double that now available be assigned to the executive department.

A number of subjects under the general title of "staff services" have been studied and the Committee concurs in the following recommendations:

That increased funds be provided to enable the Commissioner of Finance and Administration to carry out the statutory duties of his office;

That a full-time Budget Officer be named by the Commissioner of Finance and Administration to head the Budget Bureau;

That the Budget Bureau be strengthened;

That the employee payment schedule should be fixed by the Commissioner of Finance and Administration, and that he shift to a semi-monthly payroll basis for salaried workers;

That State financial reporting, confined to advertisements in three or four daily papers, be the direct responsibility of the Commissioner of Finance and Administration;

That a Division of Public Buildings be created within the Bureau of Public Improvement, to provide a closer link with long-range capital planning and development;

That a Bureau of Central Services should be created within the Department of Finance and Administration;

That three plural bodies whose functions have been transferred, and which have now outlived their usefulness, be abolished.

Regarding the status and composition of the State Personnel Board, the Committee opposes retention of the Board as an administrative body; it recommends that the status of the Personnel Board be changed to an essentially advisory body, and that a Bureau of Personnel be set up within the Department of Finance and Administration, headed by a director named by the Commissioner of Finance and Administration.

The Committee does not approve the PAS recommendation that certain classes of State employees now in the unclassified service be placed in "classified service."

The Committee records itself as opposed to the PAS recommendation that most dedicated, earmarked and self-imposed tax funds be placed in the General Fund and allocated by the Legislature. It feels that such funds have served the State and its economy well, should be continued, and that creation of new promotional plural bodies, when the need is shown, should be encouraged.