

MAINE STATE LEGISLATURE

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REPLACING
THE
EXECUTIVE
COUNCIL

The Final Report of the
Joint Standing Committee on State Government
107th Legislature

H.P. 1781
February 6, 1976

Senate

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J. Hollis Wyman
David L. Graham

House

Leighton Cooney, Chairman
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C

I. HISTORICAL BACKGROUND

There shall be a Council, to consist of seven persons, citizens of the United States, and residents of this State, to advise the Governor in the executive part of government, whom the Governor shall have full power, at his discretion, to assemble; and he with the Councillors, or a majority of them may from time to time, hold and keep a Council, for ordering and directing the affairs of State according to law.

Constitution of the State of Maine,
Art.V.Pt.2,§ 1 (now repealed)

When the Constitution of the State of Maine was created 155 years ago, the draftsmen formulated a government designed for a situation which does not now exist and which perhaps did not exist when Maine became a state. Within the memories of many of the draftsmen of the Maine Constitution, the executive branch of government, in the person of the royal Governor, had completely dominated government, virtually excluding colonial legislatures from the governing process and extremely weakening the court system. Most of the original thirteen states had responded to this situation by creating in their constitutions a check on the executive branch within that branch itself, in the form of a council corresponding to the only form of check on royal power allowed the colonies.

By the time of Maine's separation from Massachusetts, three of the councils created in the 1780's had been abolished and three more councils were abolished within 30 years after Maine became a State. In 1820, Maine became the only state not among the original thirteen to establish a dual executive by creating an Executive Council.

In the beginning, the Executive Council, which has often been referred to as the Governor's Council, quite literally shared the power of administering State government. The Council approved every appointment of the Governor, and at that time the Governor appointed most employees of the State personally. The Council approved every warrant issued by the Treasurer upon order of the Governor, and thereby had the final approval on expenditure of State funds. The Council participated jointly with the Governor in the pardoning process. ✓

Since those early years, the powers of the Executive Council have been steadily diminished. The ability of the chief executive to gain further power through control of appointments has been diminished by the advent of a civil service personnel system and by statutory establishment of qualifications required for certain officers. Correspondingly, these developments have lessened the

control of the Executive Council over appointments, although this control was still the strongest check on executive power retained by the Council.

Other checks on the executive expenditure of funds have been established. Today, extensive audits of State expenditures are required, line budgets closely regulate the use of appropriated funds, and mechanized payroll procedures have simplified administrative duties considerably. Therefore, the close supervision of the Executive Council over executive expenditures is no longer necessary. The Council did retain important financial powers, such as the control of the Governor's allocation of the State Contingency Fund, the approval with the Governor of certain transfers of funds appropriated by the Legislature from one line of the budget to another within a department, and the quarterly approval of proposed expenditures of Departments.

The Council still functions with the Governor to grant pardons as provided by the Constitution. In this area, too, more reliance is being placed upon the recommendations of personnel of the Bureau of Corrections and of other agencies not in existence when the Council was created. Statutory restrictions on the power to pardon have been enacted.

In contrast, as the powers originally assigned to the Executive Council have diminished, the pro forma duties assigned to the Council have multiplied dramatically. The Council is required to approve many administrative action by state government officials, to receive many department reports, and to approve many contracts which have already been reviewed and approved by other agencies, such as the Department of the Attorney General. In many cases, Executive Council approval or review is an unnecessary step in the governmental process.

Time has changed the Council and brought a relative decline in its importance but the number and scope of its activities have seen an absolute gain. As an administrative agency, the Executive Council must approve many routine actions of the various state departments. All travel orders for distances beyond 500 miles of Augusta must be passed on by the Governor and Council. Final plans for most state building construction are approved by Council. As we have seen the Council also must approve expenditures already appropriated by the Legislature, approved by the Bureau of Accounts and Control and found satisfactory by particular departments. Final election results reached by carefully controlled procedures in the office of Secretary of State must also be cer-

tified by the Governor and Council. These routine duties are multiplied in many phases of state government.

Clement Vose, The Executive Council of
Maine in Decline (1959)

The Executive Council has been a controversial issue since its creation, which the draftsmen of the Constitution hotly debated. Tradition has it that a copy of the proposed Constitution was submitted to Thomas Jefferson for comment and that he criticised inclusion of a council. Through the years there have been many attempts to abolish the Council, all of which failed for one reason or another. In 1975, the 107th Legislature finally passed a Constitutional amendment to abolish the Council, by wide margins in the House (97 to 31) and the Senate (26 to 3). On November 4, 1975, the voters of Maine overwhelmingly ratified the amendment, by a vote of 94,702 to 47,513.

II. THE CONSTITUTIONAL AMENDMENT

The Constitutional amendment, which will become effective on January 4, 1977, does more than simply abolish the Executive Council. The Committee on State Government which actively participated in the provisions relating to appointments, and the members of the Legislature who debated and passed the amendment were all aware of the original reasons for having an Executive Council. Therefore, the question was not just whether the Council should be abolished, but to what extent the Council should be replaced. The amendment itself reveals the reasoning of the Legislature. The amendment, which actually amended several provisions of the Constitution, can be summarized as follows.

1. The Governor and Council were required to examine the election returns for Legislators and to summon those who appear to have been elected to attend. Since election results are now tabulated by the Secretary of State and since the two Houses of the Legislature are the final judges of who has been elected, this duty of the Governor and Council is ceremonial. The amendment leaves this duty with the Governor.

2. The most important duty of the Executive Council has been the approval of certain appointments of the Governor. The Council has been required to approve the appointment of all judicial officers and of other officers as required by statute. The State Government Committee felt strongly, as did the Legislature, that some check on judicial and executive appointments should be retained. The question became how this power should be delegated. Various models, in the other States and in the Federal government,

were available for consideration. The second committee of conference from the House and the Senate finally arrived at a solution which was acceptable to the Legislature. The amendment requires that judicial appointments and other appointments, as required by statute, be reviewed by an appropriate joint committee of the Legislature, with final confirmation or denial by the Senate. The Senate may be called into session by the Governor or the President of the Senate for this purpose.

3. The power to grant reprieves, commutations and pardons has been with the Governor and the Council. This is clearly an executive branch function which in many states and in the Federal government rests with the Chief Executive alone. The amendment grants this power to the Governor alone.

4. Judges of probate, registers of probate and sheriffs are elected officers. The Constitution contains provisions for the Governor, with the advice and consent of the Council, to fill any vacancies in these offices until a new officer can be elected. The amendment grants this power to the Governor. The Governor, with the consent of the Council, has had the power to appoint an Attorney General to fill a vacancy in that office occurring when the Legislature is not in session. The amendment requires approval of such an appointment by the Legislature in the same manner as judicial appointments.

5. The provision of the Constitution that restricts legislators from being appointed to certain offices during their terms was amended to prevent appointments to offices requiring legislative confirmation.

6. It was also decided to include in the amendment a provision to eliminate the office of Notary Public as a constitutional office. This office will remain as a statutory office.

These provisions reveal the intent of the Legislature to retain checks and balances where these are meaningful, as in the case of major appointments, but to eliminate the role of the Council where such a role is no longer required and where in fact it may be a hindrance to efficient, responsible government.

III. COMMITTEE PROCEDURES

In anticipation of passage of the constitutional amendment, the 107th Legislature, by means of Joint Order H.P. 1781, ordered the Joint Standing Committee on State Government to make a careful study of the Maine Revised Statutes "for the purpose of amending such statutes to conform with the proposed amendment to the Constitution abolishing the Executive Council". The study order specifically directed the Committee to include in its recommendations certain provisions relating to the approval of appointments

of the Governor and approval of departmental transfers of funds. The order required that the recommendations of the committee and draft legislation implementing these recommendations be submitted to the special session of the 107th Legislature.

After the adjournment of the regular session, the State Government Committee held monthly meetings on the study. The committee directed extensive research, sought advice and testimony from several expert sources, and conducted wide-ranging discussions.

During its study, the committee based its discussions on one fundamental principle, that the Executive Council was created as a part of the system of checks and balances among the three branches of government and that, in abolishing the Council, such a system should be retained where necessary.

1. Where the Executive Council is no longer needed as a check on the executive branch, its duties have been eliminated.

2. Where some check is essential for a balanced system, for the duties of the Executive Council have been reassigned or an alternative check on the power of the executive has been established.

In accord with this principle, the Joint Standing Committee on State Government has made the recommendation in the balance of this report, which are incorporated in the committee's bill.

IV. RECOMMENDATION ON CONFIRMATIONS

A. The Maine Constitution, as amended, requires that all appointments of judicial officers be confirmed by the Legislature. In addition, the statutes should be amended to require legislative confirmation of appointments to policy-making positions and to membership on certain policy-making and quasi-judicial boards and commissions of the State.

At present the Executive Council must confirm a multitude of gubernatorial appointments ranging from appointments of Justices to serve on the Supreme Judicial Court to appointments of members of licensing boards and commissions. At least 650 such appointments would be likely in a four year period. It is the feeling of the State Government Committee that many of these appointments should not require confirmation by the Legislature because the offices are purely administrative or advisory in nature, because the duties of the appointees are outlined by statute to such an extent that new policies will not be created by those being appointed, or because the appointees carry out duties which are tangential to the primary purposes of state government. Among appointments of the type just described are the following: Appointments to the Health Insurance Board (administrative); appointments to the Critical Areas Advisory Board (advisory); appointments to licensing and examining boards (duties outlined by statute).

Certain appointments by the Governor should be confirmed by another branch of state government in order to maintain the system of checks and balances. The Constitution requires that appointment of judicial officers be confirmed by the Legislature. The committee recommends that approval also be required for the appointment of officers who will be setting policies within the executive branch, such as commissioners of the major departments, and for members of boards and commissions which have policy-making powers, such as the State Board of Education. In addition, approval by the Legislature should be required for appointments to boards and commissions which although constrained by statute, make decisions which are quasi-judicial in nature. The Public Utilities Commission is such a body. The committee strongly feels that appointment of well-qualified and capable persons to the offices described is essential and that requiring approval of nominees after a careful scrutiny will help ensure such appointments. In addition, approval of the appointments by the Legislature will avoid any possible attempt on the part of the Chief Executive to gain power by controlling the courts or major decision-making agencies through his appointments. The design of state government requires that these agencies function independently and a check on the appointing power of the chief executive will help to insure independence.

A list of appointments for which approval is recommended is included in this section of the report under recommendation C.

B. A procedure for confirming appointments of the Governor by the Legislature should be included in the statutes in order to insure that confirmation will occur expeditiously but only after a full consideration of the qualifications of the nominee.

The Constitution includes some procedures to be followed when the Legislature is required to approve an appointment made by the Governor. The committee has included in the bill a proposal to spell out the steps of the process in further detail, as follows:

1. When the Governor nominates a person to an office for which legislative approval of the appointment is required, he would notify the President of the Senate and the Speaker of the House of the nomination in writing.

2. The President of the Senate would notify the chairman of the Joint Standing Committee which is charged by law with reviewing that appointment.

3. The committee would then hold a public hearing after appropriate notice to the public. The committee should be required to complete its proceedings within 20 days of the Governor's notice of the nomination.

4. According to the constitutional amendment, the committee "shall recommend confirmation or denial by majority vote of committee members present and voting". The proposed statute would allow the committee vote to be taken only upon an affirmative motion to confirm the nomination, in order to avoid complicated parliamentary maneuvering. A tie vote in committee would be considered a recommendation of denial. The committee would send written notice of its decision to the President of the Senate.

5. Under the constitutional amendment the "committee recommendation shall be reviewed by the Senate and upon review shall become final unless the Senate by vote of two thirds of those members present and voting overrides the committee recommendations". The Senate should be required to complete its actions within 45 days of the date of the Governor's nomination. According to the committee bill, the Senate would be required to vote on every nomination. (The constitutional amendment gives both to the Governor and to the President of the Senate the power to convene the Senate to act on nominations.)

Certain questions of interpretation arose during the course of discussions. The constitutional amendment is not clear about the effect of a tie vote in a committee. The State Government Committee has asked the Attorney General for an opinion whether the Legislature could require by statute that a tie vote in a committee be considered a denial. The committee has also requested an opinion on whether a Governor could re-nominate for the same post a person whom the Legislature had once rejected. If questions remain, the committee will recommend that the Legislature request an advisory opinion from the Supreme Judicial Court.

6. The Governor is given the power to withdraw a nomination at any time prior to the Senate's vote, by sending written notice of the withdrawal to the President of the Senate.

C. The State Government Committee's bill requires that the appointments in the following list require confirmation by the Legislature, with the review proceedings to be conducted by Joint Standing Committees as indicated. It should be noted that the committee has not been unanimous on each appointment.

APPOINTMENT

LEGISLATIVE COMMITTEE

1. Supreme Judicial Court Justices	Judiciary
2. Superior Court Judges	Judiciary
3. District Court Judges	Judiciary
4. Active Retired Justices and Judges	Judiciary
5. Administrative Court Judge	State Government
6. Interim Attorney General	Judiciary
7. Commissioner of Finance & Administration	State Government
8. State Personnel Board	State Government
9. State Employees Appeals Board	Labor
10. Commissioner of Agriculture	Agriculture
11. Maine Guarantee Authority	State Government
12. Commissioner of Business Regulation	Business Legislation
13. Land Use Regulation Commission	Natural Resources
14. Commissioner of Inland Fisheries and Wildlife	Fisheries & Wildlife
15. Commissioner of Marine Resources	Marine Resources
16. Commissioner of Conservation	Natural Resources
17. Commissioner of Education	Education
18. State Board of Education	Education
19. Commissioner of Human Services	Health & Institu- tional Services
20. Commissioner of Transportation	Transportation
21. Chief of State Police	State Government
22. Commissioner of Public Safety	State Government
23. Maine Labor Relations Board	Labor
24. Maine Employment Security Commission	Labor
25. Commissioner of Manpower Affairs	labor
26. State Liquor Commission	Liquor Control
27. Director, State Housing Authority	State Government
28. Commissioner of Mental Health and Corrections	Health and Institu- tional Services
29. Public Utilities Commission	Public Utilities
30. Commissioner of Environmental Protection	Natural Resources
31. Board of Environmental Protection	Natural Resources
32. Industrial Accident Commission	Judiciary
33. Trustees, University of Maine	Education
34. Trustees, Maine Maritime Academy	Education

There are approximately 152 positions on this list. The number is not exact because there is some overlap. A Governor would not have the opportunity to make that many appointments in his four-year term, because many of these offices are for staggered terms of varied lengths.

V. RECOMMENDATIONS ON DISMISSALS

The committee is divided on the appropriate procedure for dismissals from the major executive positions for which confirmation will be required. Under the present system, the Governor cannot dismiss such appointees without the approval of the Council. A majority of the committee, a majority which has increased during the course of the committee's discussion, believes that the principles of sound, efficient administrative practice require that a Governor should have the authority to dismiss major executive appointees without having to seek the approval of any other agency or branch of government. In effect, such appointees should serve at the pleasure of the Governor. The majority view is incorporated in the bill. The minority view will be presented as a committee amendment to the bill.

A.1 A majority of the committee therefore recommends that major executive appointees, whose appointments are subject by law to legislative confirmation, serve at the pleasure of the Governor.

A.2 A minority of the committee believes that dismissals from such offices should require the approval of the Legislature, which confirms the appointments.

The recently ratified constitutional amendment contains no provisions on dismissal. There are no such provisions in the Constitution now in effect. The Supreme Judicial Court, in an 1881 decision, interpreted this section of the Constitution to require Council approval of dismissals. Because of this decision, there remains a question of constitutional interpretation, the answer to which could affect the majority recommendation.

The committee has asked the Attorney General for an opinion on this issue. If some question still remains, the committee will recommend that the Legislature ask the Supreme Judicial Court for an advisory opinion.

B. The committee unanimously recommends that members appointed by the Governor with the consent of the Legislature to policy-making and quasi-judicial boards and commissions continue to be protected from dismissal by statutory provisions for terms and for dismissal "for cause" and that any proposed dismissal under these provisions require the approval of the Legislature.

Members of policy-making and quasi-judicial boards and commissions are not supervised by the Governor, as are the heads of the Executive departments. Some boards and commissions exist for

the purpose of setting policy for State institutions. They are intended to be independent of the Governor. Other commissions carry-out rate-setting, licensing and other quasi-judicial functions within policy parameters established by the Legislature. These boards and commissions are also designed to be independent of the Governor. Presently members of these boards and commissions are protected from arbitrary dismissal by provision that they may be removed only "for cause", which is frequently defined. The committee feels that these provisions should be retained. In addition, the committee recommends that any dismissal "for cause" require the approval of the Legislature in order to check any attempt by the chief executive to control these boards and commissions and to dismiss members with whom he does not agree.

The committee does not believe that a new legislative procedure on dismissals need be spelled out. Instead, it recommends that the legislative review of such dismissals be by the established constitutional means of impeachment or of removal by the Governor on the address of both branches of the Legislature.

VI. RECOMMENDATIONS ON THE FISCAL DUTIES OF THE EXECUTIVE COUNCIL

In the early days of the Executive Council every fiscal transaction of the State required the approval of the Governor and Council. Some of these duties still remain. The committee has been able to classify four types of fiscal activity in which the Executive Council plays some role.

A. The Governor and Council acting together are required to accept funds coming to the State from sources other than general tax revenues. The principal source of these funds is the federal government. Other sources are gifts, grants from sources other than the federal government, and bequests. Most department and agency heads also have the power to accept these funds with the approval of the Governor and Council.

The committee recommends that the Governor be given the power to accept funds coming to the State from sources other than State tax revenues, and that only the approval of the Governor be required for acceptance of such funds by department and agency heads.

The committee feels that in most cases this power is a duty which is ministerial, and that there is no need for a check on the Governor's power to accept funds. Use of federal funds is closely regulated by federal statute or regulation, which prevents irresponsible use of such funds. Most other income coming to the State also comes with controls attached. The one concern which the committee wishes to ex-

press is the potential use of federal funds for programs which have not been approved by the Legislature. The committee also feels, however, that this concern is not sufficient to require a check on the Governor's acceptance of such funds, because the Legislature can subsequently consider such programs when requests are made for State funds and the programs can be judged on their merits.

B. The Governor and Council acting together are required to approve certain routine fiscal activities within the State government. Such activities fall into two categories. One category includes such activities as the investment of State funds by the Treasurer of State. The other category includes such activities as the advance quarterly approval of the plans for expenditure of appropriated State funds and other revenues by all State departments and agencies. This category includes the approval of transfer of funds from one program within a department to another.

The committee recommends that the power to approve routine fiscal activities within State Government lie solely with the Governor.

The committee recognizes that this recommendation places great power in a Governor. Today, however, there are many checks on this power which did not exist earlier in the history of the State. Line budgeting by the Legislature places a check on the use of State funds, as do the present audit procedures. In addition, budgets are now scrutinized annually by the Legislature so any attempt to bypass the Legislature's decision by transferring funds can be exposed expeditiously. This recommendation preserves the power of the chief executive to control the expenditures of departments and agencies and to act as a check on possible irresponsible fiscal transactions by independent officers such as the Treasurer. The committee feels these checks should be retained but any further check is unnecessary.

C. At present the Council is required to approve of allocations by the Governor of the State Contingent Account. The State Contingent Account, established in 5 MRSA § 1507, consists of funds intended to meet emergencies. Up to \$800,000 in a fiscal year may be allocated from this fund. Certain portions of this fund are dedicated to specific uses: (1) \$120,000 for relief of State institutions, such as prisons, when the population of these institutions increases to the point where the appropriated funds are not sufficient; (2) \$100,000 for use in construction when costs exceed budgeted funds, or for use in unanticipated construction projects when such projects are in the best interest of the State and funds

have not been budgeted; (3) \$120,000 for the purchase of real estate within the capitol complex; (4) \$10,000 to provide for the promotion of Maine. The balance of the amount may be used "to meet any expense necessarily incurred under any requirement of law; or for the maintenance of government within the scope existing at the time of the previous session of the Legislature or contemplated by laws enacted thereat, or to pay bills arising out of some emergency requiring an expenditure of money not provided by the Legislature."

The committee recommends that allocation of the State Contingent Account be left to the Governor but that the amounts authorized for allocation be substantially reduced.

The committee feels that there is ample justification for continuing the State Contingent Account. Emergencies do occur and must be anticipated. However, it is felt that such emergencies are much less likely to occur today with annual budgeting and sophisticated planning, and that therefore the amount authorized for allocation should be substantially reduced. The committee believes that continued careful budgeting by the Executive branch should be encouraged and the committee notes that recent appropriation acts have been more carefully written to ensure that legislative intent is realized. If the statutes controlling the contingent account are tightened and if the Executive and Legislative authorities continue to be precise and careful in the preparation of budgets and decisions concerning appropriations, allocation of the State Contingent Account will become a power which is much more in the nature of an administrative duty and should be left to the Governor. Checks on executive branch use of the funds will eliminate the need for any outside approval of the allocation, and flexibility will be retained in the process.

These recommendations by the committee are largely based upon a recent study of usage of the State Contingent Account done by the Department of Finance and Administration at the request of Governor James B. Longley. The committee wishes to thank the Department for making this report available.

Specifically, the committee recommends the following amount and guidelines for the State Contingent Account:

The annual appropriation for the State Contingent Account is reduced in the bill from \$800,000 to \$350,000. \$300,000 of this amount is available for allocation by the Governor, upon written request of an appropriate State Budget Officer, for the following four purposes:

1. An institutional reserve fund to be used only for emergencies within State institutions;
2. A construction reserve fund to be used only for emergency expenses connected with cost overruns in the construction of State buildings;
3. A real estate purchase reserve fund to be used only for purchase of property within the capitol complex; and
4. For other defined emergency purposes, only in accordance with existing law.

Finally, the Governor could allocate the remaining \$50,000 for promotion of the State of Maine outside of the State, but only upon written request of a private group or an appropriate State official and only after consultation with the State budget Officer.

The consultation with the State Budget Officer required for all allocations has the effect of establishing a central, public record of the uses of the account. In addition, notice of each allocation from the account must be sent to the President of the Senate, the Speaker of the House and the Legislative Finance Officer.

The recommendations on the contingent account and other financial matters should be reviewed by the Appropriations Committee.

D. The Governor and Council acting together have certain duties in relation to expenditures which are quasi-judicial in nature. One such duty is consideration of any ruling on small claims against the State. Another such duty is approval or rejection of claims against the State for certain funds which have come to the State because no one claimed them. Included are abandoned bank accounts and similar funds.

The committee recommends that the Land Damage Board, which adjudicates claims against the State in highway matters, be reorganized as the State Claims Board and authorized to adjudicate a variety of claims against the State.

VII. OTHER DUTIES OF THE EXECUTIVE COUNCIL

As indicated in the introduction to this report, the Executive Council has been assigned a multitude of duties which are administrative in nature.

In general, the committee has found that these duties should be carried out by the Governor but some duties which were carried out by the Governor and Council jointly could well be abolished or assigned to other officers within State Government. A complete list of these duties, and the committee's recommendations, is included in the appendix to this report and is incorporated into draft legislation.

The State Government Committee also requested recommendations from State officers and other legislative committees on questions about which the committee was unclear. Among these are:

1. Certain administrative provisions relating to the Office of the Secretary of State. The Honorable Markham H. Gartley, Secretary of State, has met with the committee and has provided recommendations. The committee's decisions in this area are incorporated in the part of the bill amending Title 21.
2. The committee requested a recommendation from the Election Laws Committee on the appropriate method of handling appointments of Chairmen of Boards of Voter Registration in the municipalities. That committee recommended that the municipal clerks make a nomination to the municipal officers who would make the final appointment. That recommendation is embodied in the bill.
3. The Legal Affairs Committee is completing a study on the licensing of detectives and watch guards. That committee's recommendations should supersede the temporary decision incorporated in the State Government Committee's bill.

VIII. FURTHER RECOMMENDATIONS

The State Government Committee held a public hearing after ratification of the constitutional amendment and requested comment from the Governor, legislators and any other citizens on the recommendations included in the committee's preliminary report of October 31, 1975. A few legislators made suggestions, most of which are incorporated in this final report.

On January 7, 1976, Governor Longley sent his written comments on the preliminary report to the committee. The committee reviewed his comments in detail in a committee meeting and in a later meeting with representatives of the Governor's office. A number of his suggestions, including a reduction in the number of officials subject to confirmations, an easing of restrictions on the Contingent Account, and a change in the procedure for temporary appointments have been included in the final report and in the bill.

Because of the far-reaching implications of the legislation to re-assign the powers of the Executive Council, the State Government Committee earnestly hopes that legislators, State officials and con-

cerned citizens will study the committee's bill and report that they will be vocal in their recommendations for improving upon the committee's work.

APPENDIX

The following is a list of all the duties and powers of the Executive Council in the Maine Revised Statutes and the private and special laws. Most of these duties are performed in conjunction with the Governor.

The redistribution of each of these powers and duties, as proposed in the bill reported by the State Government Committee, is stated in the parenthesis beside each section. In the greatest number of cases, the committee has recommended that the Governor alone exercise the power or duty. In the case of appointments for which legislative confirmation has been recommended the name of the joint standing committee designated for review has also been stated.

Title I

- §12. Approval of cession of land to U. S. (Governor alone)
- 13. Approval of cession of land to U. S. for fortifications. (Governor alone)
- 14. Surveying of above lands. (Governor alone)
- 812. State eminent domain. (Governor alone)
- 814. State purchase of land. (Governor alone)

Title 2

- §4. Acceptance of federal funds. (Governor alone)
- 5. Acceptance of gifts. (Governor alone)
- 6. Setting of certain salaries. (Governor alone)
- Chapter 3. Executive Council provisions. (Repeal)

Title 3

- §1. Certification of election of members of the Legislature. (Governor alone)
- 4. Postaudit of legislative and Executive accounts. (Governor alone)
- 151,152. New provisions on legislative confirmation procedure.
- 173. Approval of prices of law books. (State Law Librarian)
- 241. Appointment of commission on uniform State laws. (Governor alone)

Title 4

- §2. Disability of Justice. (Governor alone)
- 6. Appt. Active retired justices. (Governor with consent of Legislature - Judiciary Committee)
- 104. Appt. Active retired Superior Court Judges. (Governor with consent of Legislature - Judiciary Committee)
- 157. Appt. of District Court Judges (Governor with consent of Legislature - Judiciary Committee)
- 157-B. Appt. of Active retired District Court Judges. (Governor with consent of Legislature - Judiciary Committee)
- 451. Appt. Judicial Council. (Governor alone)
- 955-A. Removal of notaries. (Governor alone)

Title 5

- §2. Tenure of officers. (Governor alone)
- 3. Tenure of civil officers. (Governor alone)
- 4. Appt. Dedimus Justices. (Governor alone)
- 5. Oaths of office. (Governor alone)
- 6. Qualification of officers. (Governor alone)
- 8. Mileage allowance. (Governor alone)
- 47. Public hearings on nomination of department heads.
(Repealed)
- 81. Interim appt. Secretary of State. (Deputy will act
until Legislature elects new Secretary of State.)
- 84. Commissions for officers. (Governor alone)
- 93. Appointment of State Archivist. (Secretary of
State alone)
- 121. Treasurer, Bond for deputy. (Governor alone)
- 122. Treasurer, Bond. (Governor alone)
- 124. Treasurer, Bond. (Governor alone)
- 127. Treasurer, Complaints. (Governor alone)
- 135. Approval, Deposit of State Funds (Governor alone)
- 137. Approval, purchase of unmatured bonds of State.
(Governor alone)
- 138. Custody and servicing of securities; investment of
trust funds (Governor alone)
- 139. Disposal of moneys and securities. (Governor alone)
- 139-A. Guaranty funds. (Governor alone)
- 142. Investment of sinking funds. (Governor alone)
- 143. Register of investments, Treasurer's report.
(Governor alone)
- 150. Temporary loans by State (Governor alone)
- 151. Funds of Examining Boards. (Governor alone)
- 195. Attorney General - opinions on questions of law
(Remove Executive Council) from list of those who can request.
- 196. Deputy and assistant Attorneys General Salaries.
(Governor alone)
- 198. Additional assistant Attorneys General Salaries.
(Governor alone)
- 285,sub-§2. Appt. Health Insurance Board (Governor alone)
- 287. Appt. Commissioner of Finance and Administration
(Governor with approval of Legislature -
(Appropriations Committee)
- 591. Appt. State personnel board. (Governor with approval
of Legislature - State Government Committee)
- 592,sub-§9. Appt. Personnel Advisory Board (Governor alone)
- 634. Compensation plan. (Governor alone)
- 711,sub-§3. Unclassified service. (Governor alone)
- 723. Appt. Educational Leave Advisory Board. (Governor
alone)

- §751. Appt. State employees appeals board. (Governor with consent of Legislature - Labor Committee)
- 1031,sub-§1. Appt. Trustees, State Retirement System (Governor alone)
- 1031,sub-§15. Investments, Retirement Fund. (Governor alone)
- 1031,sub-§16. Servicing of Securities. (Governor alone)
- 1094. Creditable service for Executive Councillors. (This section must remain, in order for past Councillors to receive retirement pay)
- 1121,sub-§1,¶B,sub-§4-B. (Same as above)
- 1504. Charging off accounts due State. (Governor alone)
- 1506. Return of working capital advances. (Governor alone)
- 1507. State Contingent Account. (amendment as recommended by Committee. Governor alone, but less money in account)
- 1508. Expendable special State funds. (Governor alone)
- 1510. Governor and Council to approve certain claims against the State (Repealed and replaced by new procedure. See Title 23, § 152.)
- 1544. Unappropriated surplus. (Governor alone)
- 1582. Work programs. (Governor alone)
- 1585. Transfer of unexpended appropriations. (Governor alone)
- 1586. Transfer of funds generally. (Governor alone)
- 1621. Authorization of audit. (Governor alone)
- 1667. Work programs and allotments. (Governor alone)
- 1742,sub-§§2,5,12,17. Duties of BPI. (Governor alone)
- 1743. Competative bids. (Governor alone)
- 1745. Advertisements for sealed proposals. (Governor alone)
- 1772-A. User fees for parking facilities. (Governor alone)
- 2401-sub-§1, Appt. Administrative Court Judge. (Governor with approval of Legislature-Judiciary Committee)
- 3306. Appt. State Planning Council. (Governor alone)
- 3313. Appt. Critical Areas Advisory Board. (Governor alone)
- 4561. Appt. Human Rights Commission (Governor alone)
- 4565. Removal of Commissioners (Governor alone)
- 5004. Appt. Director of Energy Resources. (Governor alone)
- 7002. Appt., Director, State Development Office. (Governor alone)

Title 6

- §12. Report of Director of Aeronautics. (Governor alone)
- 162,sub-§2-Approval, state aide for aeronautics (Governor alone)

Title 7

- §1. Appt. of Commissioner of Agriculture (Governor with approval of Legislature - Agriculture Committee)
Appt. of Deputy (Governor alone)
- 5. Appt. of other deputies (Governor alone)
- 10. Biennial report (Governor alone)
- 62,sub-§3. Stipend for clubs and societies (Governor alone)
- 2952. Appt. Maine Milk Commission. (Governor alone)
- 3403. Distribution of dog license money. (Governor alone)

Title 8

- §261. Appt. Harness Racing Commission. (Governor alone)
- 321. Appt. Running Horse Racing Commission.
(Governor alone)
- 351. Appt. State Lottery Commission. (Governor alone)
- 352. Appt. Director of State Lotteries. (Governor alone)
- 354,sub-§H. Lottery Commission, Powers and Duties.
(Governor alone)
- 562. Lottery Commission, Rules and Regulations.
(Governor alone)

Title 9

(None)

Title 9-A

- §6.103-Appt. Superintendent of Consumer Protection.
(Commissioner of Business Regulation, with consent of Governor)

Title 9-B

- §211. Appt. Superintendent of Banks and Banking.
(Commissioner of Business Regulation, with consent of Governor)
- 367,sub-§1. Participation of governmental units in conservation and liquidation proceedings. (Governor alone)
- 428,sub-§5. Abandoned deposits. (Governor alone)

Title 10

- §102. Appt. Atomic Development Coordinator. (Governor alone)
- 751. Appt. Maine Guarantee Authority. (Governor with consent of Legislature - State Government Committee)
- 751,sub-§1. Salary, MGA manager. (Governor alone)
- 802. Additions to Mortgage Insurance Fund. (Governor alone)
- 2105. Maine Mining Bureau. Uses of dedicated revenue.
(Governor alone)
- 6002. Additions to Maine Recreation Authority (now MGA) fund.
(Governor alone)
- 7051. Appt. Mountain Resorts Airport Authority.
(Governor alone)

8001. Appt. Commissioner of Business Regulation. (Governor with approval of Legislature-Business Legislation Committee)

Title 11

(None)

Title 12

- §512. Purchase of land, acceptance of gifts, declassification of land. (Governor alone)
513. Acceptance of federal, municipal and private funds. (Governor alone)
- 602, sub-§§1,2,3,4,6,7,9,15. Duties of bureau of Parks and Recreation which require approval. (Governor alone)
643. Appt. Coastal Island Trust Commissioners. (Governor alone)
683. Appt. LURC Public members. (Governor with approval of Legislature - Natural Resources Committee)
- 1601-A. Reimbursement to municipalities for fire protection costs. (Governor alone)
1603. Authorization of payment of claims, accounts and demands (fire protection) (Governor alone)
1607. Use of Forestry District tax funds. (Governor alone)
1701. Appt. Appt. Maine Forest Authority. (Governor alone)
1903. Search for lost persons. (Governor alone)
1951. Appt. Commissioner of Inland Fisheries and Wildlife. (Governor with approval of Legislature - Fisheries and Wildlife Committee)
1955. Appt. Advisory Council, Fisheries and Game. (Governor alone)
1956. Declaration of emergency. (Governor alone)
3451. Appt. Commissioner of Marine Resources. (Governor with consent of Legislature - Maine Resources Committee)
- 3502, sub-§2. Report of Commissioner. (Governor alone)
- sub-§6. Acceptance of funds (Governor alone)
- 3551, sub§§1,3. Appt. Advisory Council, Marine Resources. (Governor alone)
- 3601, sub§1, ¶B. Appt. Atlantic Sea Run Salmon Commission. (Governor alone)
4652. Appt. Commissioner, Atlantic States Marine Fisheries Commission. (Governor alone)
4757. Wetlands, Taking by eminent domain. (Governor alone)
5011. Appt. Commissioner of Conservation. (Governor with approval of Legislature - Natural Resources Committee)
5012. Acceptance of funds. (Governor alone)

Title 13, Title 13-A

(None)

Title 14.

§1201. Persons exempt from jury service. ("Councilors" removed from list.)

Title 15.

§2161. Notice provisions, pardons and commutations of sentence. (Governor alone)

2161-A. Expungement of records. (Governor alone)

2162. Commutation of State Prison sentence to jail. (Governor alone)

2163. Conditional pardons. (Governor alone)

2164. Violation of conditions; rearrest. (Governor alone)

2165. Remand to prison on finding of violation. (Governor alone)

2167. New Pardon and Commutation Advisory Board created.

Title 16.

(None)

Title 17

§3104. Conflicts of interest; purchase by State. "Council" removed from section.

Title 17-A

(None)

Title 18

§1651. Appt. Public administrators. (Governor alone)

Title 19

(None)

Title 20

§1-A. Appt. Commissioner of Education. (Governor with consent of the Legislature - Education Committee)

§1-B, sub-§1. Salary. State museum director (Governor alone)

sub-§3. Appt. Salary. Maine State Librarian. (Governor alone)

51. Appt. State Board of Education. (Governor with consent of Legislature - Education Committee)

- T.20,§76,sub-§§4 & 5,Appointments to PECOM. (Governor alone)
T.20,§81,sub-§1. Salary, Executive Director, PECOM
(Governor alone)
- 102,sub-§9. Gift-supported schools. (Governor alone)
854. Withholding of school funds. (No decision)
1451. Rules, schools in unorganized territories. (Governor alone)
1457. Children, governmental reservations (Governor alone)
1474. Payment for school buildings on organization. (No decision)
2234. Additions to Student Loan Insurance Fund. (Governor alone)
2255. Temporary loans to the University of Maine. (Governor alone)
2256. Report of trustees. (Governor alone)
2359. Reimbursements from state and federal funds. (Governor alone)
2405. Reimbursements for industrial schools. (Governor alone)
2601. Appt. Advisory Committee on Maine Public Broadcasting. (Governor alone)
2604. Gifts for educational television (Governor alone)
2803. Appt. members New England Board of Higher Education. (Governor alone)
- 3506,sub-§13. Approval, Lease agreements, Maine School Building Authority. (Governor alone)
- 3508-A. Payment by State on revenue bonds. (Governor alone)

Title 21.

- §43. Appt. Member of Board of (Voter) Registration in cities of over 5,000.
(Municipal officers)
- 43,sub-§3, ¶A. Vacancy in above appointment
(Municipal officers)
- 925,sub-§1. Validity of challenged ballot.
(Commission on Governmental Ethics and Election Practices)
1032. Approval of type of voting machine by one member of the Council appointed by the Governor.
(Secretary of State)
1034. Approval of regulations governing voting machines.
(Secretary of State)
1062. Approval of type of electronic voting system. (As in 1032) (Secretary of State)
1065. Approval of regulations of Sec. of State on electronic systems. (Secretary of State)

- 1092. Tabulations submitted to Governor and Council.
(Governor alone)
- 1095. Issuance of election certificates.
(Governor alone)
- 1152. Recount. (Commission on Governmental Ethics & Election Practices)
- 1152, sub §7. Corrected tabulation
(Commission on Governmental Ethics & Election Practices)
- sub §8. Appeal. (Commission on Governmental Ethics & Election Practices)
- sub §9. Retention of disputed ballots
(Commission on Governmental Ethics & Election Practices)
- 1154. Appeal, referendum ballots.
(Commission on Governmental Ethics & Election Practices)
- 1211. May demand ballots. (repeal "council.")
- 1531. Interim Appt. U.S. Senator (Governor alone)
- 1622, sub-§3. Appt. Registration commissioners, Indian
voting districts. (Governor alone)

Title 22

- §1. Appt. Commissioner of Human Services. (Governor
with consent of Legislature - Health and Institu-
tional Services Committee)
Appt. Directors of Bureaus of Resource Development
and Maine's Elderly (Commissioner, with consent
of Governor)
- 10. Acceptance of federal funds and commodities (Gov-
ernor alone)
- 41. Report. (Governor alone)
- 45. Transfer of appropriated funds (Governor alone)
- T.22. §254, sub-§6. Report on Free Drugs to Elderly Program
(Governor alone)
Approval of expenditures.
(Governor alone)
- 562. Charges, diagnostic laboratory. (Governor alone)
- 1703. Acceptance of funds (other than federal) for
public health purposes (Governor alone)
- 1706. Approval of distribution of antitoxins (Governor
alone)
- 2054. Appt. Health Facilities Authority (Governor alone)
- 2069. Report of authority (Governor alone)
- 3022. Appt. Chief Medical Examiner (Governor alone)
- 3024. Salary, Chief Medical Examiner (Governor alone)
- 3058. Acceptance of gifts for public rehabilitation
services. (Governor alone)
- 3059. Approval of agreements under Social Security
Act (Governor alone)
- 3103. May request information. (Eliminate Council)
- 3105. Rehabilitation as part of aid to needy persons.
(Governor alone)
- 3175. Apply for and receive federal assistance (Governor
alone)
- 4710. Warrants for payment of bounties on agricultural
products. (Governor alone)

- 4714. Expenditure of tribal funds for tribe. (Governor alone)
- 4789. Warrants for interest on townships purchased. (Governor alone)
- 4792. Tribal elections Penobscot Appeals. (No decision)
- 4831. Tribal elections. Passamaquoddy. Appeals. (No decision)
- 5105. Appt. Director, Bureau of Maine's Elderly. (Commissioner, with consent of Governor)
- 5309. Appt. Director, Bureau of Resource Development. (Commissioner, with consent of Governor)
- 5314. Appt. Human Services Council (Governor alone)
- 7107. Appt. Maine Councilor Alcohol and Drug Abuse Prevention and Treatment. (Governor alone)

Title 23

- §152. Appt. Land Damage Board. (To be appointed by Governor alone and re-named State Claims Board. To handle claims formerly under 5 MRSA §1510.)
- 252. Approval for construction of freeway or parkway. (Governor alone)
- 453. Approval of contract without bid for construction of bridges (Governor alone)
- 654. Orders installation of Detour signs when D.O.T. neglects to do so. (Governor alone)
- 753. Approval of contract without bid for construction of state highways. (Governor alone) (This section is incorporated by reference into 3803, construction of state aid highways)
- 1111. Appt. Surveyer to perambulate boundary between Maine and New Hampshire (Surveyor to be within D.O.T.) (Governor alone)
- 1112. Notice to New Hampshire of pending perambulation. (Governor alone)
- 1601. Treasurer negotiates bonds at direction of Governor and Council. (Governor alone)
- 1652. Approval of transfers of appropriations (Governor alone)
- 4205. Appt. Commissioner of D.O.T. (Governor with consent of Legislature - Transportation Committee)
- 4206. Compensation for advisory boards. (Governor alone)

Title 24

None

Title 24-A

- §201, sub-§2. Appt. Superintendent of Insurance.
(Commissioner of Business Regulation, with
consent of Governor)
- 217. Annual report (Governor alone)

Title 25

- §1501. Appt. Chief of State Police.
(Governor, with consent of Legislature -
State Government Committee)

- 1504. Salary, chief and deputy chief. (Governor alone)
- 1549. This gives the department, at the request of the
Governor and Council, to make fingerprints for
identification purposes for any citizen who wants
this done. This is not criminal fingerprinting.
(Commissioner of Public Safety)
- 2441. Approval of rules and regulations on explosives
(Governor alone)
- 2542. Approval of rules and regulations on exits (Gover-
nor alone)
- 2802. Appt. Board of trustees, Criminal Justice Academy.
(Governor alone)
- 2901. Appt. Commissioner of Public Safety. (Governor
with consent of Legislature - State Government
Committee)

Title 26

- §41. Appt. Director, Bureau of Labor. (Appointment by
Commissioner with approval of Governor)
- 42. Acceptance of funds (Governor alone)
- 171. Appt. Board of Boiler Rules. (Appointment by
director with approval of Governor)
- 175. Appt. Chief Inspector of Boilers (Appointment
by director with approval of Governor)
- 372. Appt. Board of Construction Safety Rules and
Regulations. (Appointment by director with approval
of the Governor)
- 431. Appt. Board of Elevator rules and regulations.
(Appointment by director with approval of the
Governor)
- 433. Appt. Supervisory elevator inspector. (Appointment
by director with approval by the Governor)
- 564. Appt. Board of Occupational Safety Rules and Regu-
lations. (Governor alone)

- 911. Appt. State Board of Arbitration and Conciliation.
(Governor alone)
- 965,sub-§2,¶C. Appt. Panel of Mediators.
(Governor alone)
- ¶E. Report (Governor alone)
- 968,sub-§1. Appt. Public Employees Labor Relations Board.
(Governor with consent of Legislature -
Labor Committee)
- sub-§2. Salary of executive director. (Governor alone)
- sub-§7. Annual report. (Governor alone)
- 979-J,sub-§1. Annual report. (Governor alone)
- 1081,sub-§1. Appt. Maine Employment Security Commission.
Governor with consent of Legislature - Labor
Committee)
- 1082,sub-§4. Approval of appt. of special council to
the Commission. (Governor alone)
- 1302. Inspection of proposals and bids of municipalities.
(Governor alone)
- 1307. Appt. Minimum Wage Rate on Construction Projects
Board. (Governor alone)
- 1401. Appt. Commissioner of Manpower Affairs. (Governor
with consent of the Legislature - Labor
Committee)

Title 27

- §1. Salary, State Librarian (Governor alone)
- 38. Library, rules and regulations, approval. (Governor
alone)
- 261. Appt. State Historian. (Governor alone)
- 267. Approval, expenses, Historian. (Governor alone)
- 502. Appt. Historic Preservation Commission. (Governor
alone)
- 504,sub-§4. Acceptance of gifts and bequests. (Governor
alone)
- 505. Salary, director. (Governor alone)
- 506. Recommendations on gifts, etc. (Governor alone)

Title 28

- §51. Appt. State Liquor Commission. (Governor with
consent of Legislature - Liquor Control Committee)
- 54. Salary, Director of Bureau of Alcoholic Beverages.
(Governor alone)
- 56. Working capital (Governor alone)
- 101, next to last ¶. Returns, local option votes.
(Governor alone)
- 204. Approval, liquor prices. (Governor alone)

Title 29

- §51. Approval of motor vehicle regulations. (Governor alone)
- 55. Report of fees received by Sec. of State (Governor alone)
- 193. Special licence plates. (Remove "Councilors" from section)
- 783,sub-§4,¶A. Claims for abandoned security money under financial responsibility laws. (Governor alone)
- 1801. Designation of weighing stations. (Governor alone)

Title 30

- §101. Appt. County Commissioner, if vacancy. (Governor alone, but new commissioner from same party as former)
- 103. Appt. County Commissioner, if vacancy. (Governor alone, but new commissioner from same party as former.)
- 104. Appt. County Commissioner, if on leave in service. (Governor alone, but new commissioner from same party as former.)
- 451. Removal of District Attorneys. (Governor & Attorney General)
- 452. Appt. Substitute District Attorney when on leave in service. (Governor alone)
- 552. Appt. Substitute District Attorney on death or removal. (Governor alone)
- 601. Appt. of County Treasurer if vacancy. (Governor alone)
- 602. Notice of Election of Treasurer. (Governor alone)
- 905. Security Bond, Sheriff. (Governor alone)
- 906. Security Bond, Sheriff. (Governor alone)
- 1155. Appt. Commissioner of Weights and Measures; salary (Governor alone)
- 3553,sub-§2. Approval of projects relating to improvement of navigation and prevention of erosion. (Governor alone)
- 3757. Unorganized territories; use of national forest funds. (Governor alone)
- 4162,sub-§4,¶F. Mining rights in public lots (Governor alone)
 - ¶H. Lease of mill privileges, dam sites, flowage rights in public lots. (Governor alone)
 - ¶I. Lease of public lands to Fed. Govt. (Governor alone)
- sub-§5. Transfer of responsibility for public lands to another agency. (Governor alone)
- 4602,sub-§2,¶B. Appt. Director, State Housing Authority. (Governor with consent of Legislature - State Government Committee)
- 5164. Appt. Maine Municipal Bond Bank Commissioners. (Governor alone)
- 5608. Voting, plantations. (Governor alone)

Title 31

None

Title 32

- §63. Appt. Licensing Board for Administrators of Medical Care Facilities other than Hospitals (Governor alone)
- 151. Appt. Board of Registration of Architects (Governor alone)
- 155. Removal. Architects Board. (Governor alone)
- 351. Appt. State Board of Barbers (Governor alone)
- 501. Appt. Board of Chiropractic Examination and Registration. (Governor alone)
- 1071. Appt. Board of Dental Examiners (Governor alone)
- 1151. Appt. Electrician's Examining Board (Governor alone)
- 1301. Appt. State Board of Registration for Professional Engineers. (Governor alone)
- 1304. Removal, Engineers Board. (Governor alone)
- 1451. Appt. State Board of Funeral Service (Governor alone)
- 1601. Appt. State Board of Cosmetology. (Governor alone)
- T.32. §5004. Appt. Board of Registration for Professional Foresters. (Governor alone)
- T.32. §5007. Removal. (Governor alone)
- 1671. Appt. State Board of Registration for Land Surveyors. (Governor alone)
- 1674. Removal, Surveyors Board (Governor alone)
- 2151. Appt. State Board of Nursing (Governor alone)
- 2351. Appt. Oil Burner Men's Licensing Board (Governor alone)
- 2415. Appt. State Board of Optometry. (Governor alone)
- 2561. Appt. Board of Osteopathic Examination. (Governor alone)
- 2851. Appt. Board of Commissioners of the Profession of Pharmacy. (Governor alone)
- 2854. Report, Pharmacists Board. (Governor alone)
- 3263. Appt. Board of Registration in Medicine. (Governor alone)
- 3401. Appt. Plumbers Examining Board (Governor alone)
- 3601. Appt. Examiners of Podiatrists. (Governor alone)
- 3806. Licensing of private detectives and watch guards. (Commissioner of Public Safety)
- 3971. Appt. Board of Accountancy. (Governor alone)
- 4751. Appt. Board of Veterinary Examiners (Governor alone)
- 4907. Appt. Board of Certification of Geologists and Soil Scientists (Governor alone)
- T.32. §1660-A.sub-§3. Appt. Board of Hearing Aid Dealers and Fitters. (Governor alone)

Title 33

- §601. Appt. Interim Register of Deeds. (Governor alone)
- 602. Elections. Registers of Deeds (Governor alone)

Title 34

- §1. Appt. Commissioner of Mental Health and Corrections.
(Governor with approval of Legislature - Health and
Institutional Services Committee)
- 3. Report to Governor and Council on conditions in County
Jails. (Governor alone)
- 9,sub-§4. Disposal of funds of deceased inmate.
(Governor alone)
- 132. Payment of rewards. (Governor alone)
- 557. Wardens exempt from arrest. (Execution of personal
judgement through Governor and Council) (Governor
alone)
- 708. Authorization for transfer of convicts to jails
because of overcrowding in State Prison. (Governor
alone)
- T.34. §866,sub-§1,¶A-Approval of lease of Skowhegan
facilities. (Governor alone)
- 902. Jailer's duties when office of Sheriff vacant.
(Governor alone)
- 1504. Pardons by Governor. (Governor alone)
- 1551. Appt. Probation and Parole Board. (Governor alone)
- 1552,sub-§2. Parole Board, advice to Governor and Council
on pardons (should remove "Council".)
- 1553. Salary, Administrative Assistant to Parole Board.
(Governor alone)
- 3001. Closing of T.B. Sanatoriums. (Governor alone)

Title 35

- §1. Appt. Public Utilities Commission. (Governor with
consent of Legislature - Public Utilities Committee)
- §2. Removal of Public Utilities Commissioners
(Impeachment or by Governor on address of Legislature)
- 70. Joint hearings of PUC and ICC on changes in freight
rates. (Governor alone)
- 1191. Removal of obstructions by PUC. Payment of damages
by State (Governor alone)
- 1554. Joint hearings of PUC and IC@ on changes in
carrier rates. (Governor alone)

Title 36

- §54. Tax Assessor, Report (Governor alone)
- 101. Abatement of assessed tax. (Governor alone)
- 291. Appt. Municipal Valuation Appeals Board.
(Governor alone)
- 584. Appt. Forest Land Valuation Advisory Council.
(Governor alone)
- 652, sub-§1, ¶I. Tax exemption of colleges.
(Governor alone)

- 1332. Abatement where double tax. (Governor alone)

Title 37

None

Title 37-A

- 15. Land Purchase for memorial cemetery (if eminent domain required. (Governor alone)
- 41. Appt. Maine Veterans Small Business Authority Board.
(Governor alone)
- 47. Approval of additions to Loan Insurance Fund.
(Governor alone)

- 55. Approval of Civil Defence rules. (Governor alone)
- 56. Appointment of Civil Defense Council. (Governor alone)
- 57, sub§2, ¶E. Emergency powers of Governor, approval
by Executive Council. (Repeal)
- 58. Approval of eminent domain compensation amounts by
Governor in emergency. (Governor alone)
- 71. Authorization of emergency expenditures.
(Governor alone)
- 1057. Transfer of obsolete equipment to municipalities.
(Governor alone)

Title 38

- §81. Appt. Pilots. (Governor alone)
- 83. Fees for pilotage (Governor alone)
- 89. Appt. Penobscot Bay and River Pilotage Commission.
(Governor alone)

- 321-A-sub §30 Parks and Recreation Commission, control
offices in public boating facilities.
(Governor alone)
- sub §4. Consent to leases and agreements with
United States. (Governor alone)
341. Appt. Commissioner of Environmental Protection.
(Governor with consent of the Legislature -
Natural Resources Committee)
361. Board of Environmental Protection. (Governor with
consent of the Legislature - Natural Resources Com-
mittee)
362. Acceptance of funds. (Governor alone)
- 411,sub-§1, Planning money for pollution abatement.
(Governor alone)
532. Appt. New England Interstate Water Pollution Con-
trol Commission. (Governor alone)
811. Appt. Dam inspector (Governor alone)

Title 39

- §91. Appt. Industrial Accident Commission. (Governor
with consent of Legislature - Judiciary Committee)
108. Report (Governor alone)

Private and Special Laws

- University of Maine, Board of Trustees (Governor, with consent
of Legislature - Education Committee)
- Maine Maritime Academy, Board of Trustees (Governor, with con-
sent of Legislature - Education Committee)
- Maine Turnpike Authority. (Governor alone)
- Maine Port Authority (Governor alone)

Note: The Committee wanted the State Tax Assessor, the State Controller and the State Purchasing Agent to be appointed by the Governor with the consent of the Legislature. Presently all are appointed by the Commissioner of Finance and Administration with the approval of the Governor (T.5, §282). Do you want to retain this system or stick to the decision you made earlier.

The Marine Maritime Academy is established by P. & S. Laws, 1941, Ch. 37, which must be amended to provide for appointment of the Trustees by the Governor with the approval of the Legislature - Education Committee.

References added by the 107th Legislature.

- T.5,§1510. Governor and Council to approve certain claims against the State. (Repeal)
- T.32,§1660-A.sub §3. Appt. Board of Hearing Aid Dealers and Fitters. (Governor alone)
- T.5.,§7002. Appt. Director, State Development Office. (No decision)
- T.32,§5004. Appt. Board of Registration for Professional Foresters. (Governor alone)
- T.32,§5007. Removal. (Governor alone)
- T.5,§5004,sub §1. Appt. Director, Office of Energy Resources. (No decision)
- T.5 §5007,sub §2. Appt. State Energy Resources Advisory Board. (Governor alone)
- T.20,§76,sub §§4 and 5. Appointments to PECOM. (No decision)
- T.20, §81,sub §1. Salary, Executive Director (PECOM) (Governor alone)
- T.22, §254,sub-§6. Report on Free Drugs to Elderly Program. (Governor alone)
Approval of expenditures.
(Governor alone)
- T.34, §866,sub-§1,¶A- Approval of lease of Skowhegan facilities. (Governor alone)