

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
ONE HUNDRED AND TWELFTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON  
STATE GOVERNMENT  
BILL SUMMARY



JULY, 1985

Prepared by:

Ted Potter, Legislative Assistant  
Office of Legislative Assistants  
State House, Station 13      Augusta, Maine 04333  
(207) 289-1670



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STATE OF MAINE  
OFFICE OF LEGISLATIVE ASSISTANTS  
ROOM 101  
STATE HOUSE, STATION 13  
AUGUSTA, MAINE 04333  
TEL.: (207) 289-2486

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ONE HUNDRED AND TWELFTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE  
BILL SUMMARIES  
JULY 1985

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature, covering the First Regular Session of the 112th Legislature. The summaries are arranged by LD number and indexed separately by committee.

LD: 145 AN ACT TO AUTHORIZE AN ADDITIONAL BRIGADIER GENERAL POSITION IN THE MAINE ARMY NATIONAL GUARD THERIAULT RICHARD RACINE ERWIN P

OTP HOUSE Enacted PUBLIC  
SENATE Enacted CH # 16  
GOV SIGNED

SUMMARY:

LD 145 proposed to authorize an additional Brigadier General position in the Maine National Guard. The position will not exist, however, until the U. S. Department of Defense approves the position. The "Pentagon" will not approve the position unless the State Legislature has approved it.

The purpose of LD 145, according to the Maine Department of Defense, is to authorize a second General's position, part-time only, for the 3,300 member Army National Guard. The Maine Air National Guard has 1,200 members and 5 Generals. The new position would allow a limited amount of advancement opportunity in the Army National Guard.

The additional part-time Brigadier General would be in charge of the "State Area Command" or STARC which is responsible for premobilization and postmobilization operations. The new position, if approved by the "Pentagon" would be funded from federal monies. In the event that the National Guard is mobilized and this position is included, the Brigadier General and other mobilized members would become State employees and paid with State funds.

LD: 146 AN ACT TO REPEAL THE OFFICE OF THE COMMISSIONER WITHIN THE DEPARTMENT OF LABOR WHICH IS FUNDED FROM ADMINISTRATIVE FUNDS SPROUL

LU-WD HOUSE Accepted Committee Report  
SENATE Accepted Committee Report  
GOV

SUMMARY:

LD 146 proposed to repeal the provision that establishes the Office of the Commissioner of Labor and which provides for administrative personnel to be funded from administrative funds.

The Office of Management and Budget Circular A-87 requires that all administrative costs be allocated to each Labor Department program in accordance to the benefits derived by each program from the administration of the department. Thus, the Office of the Commissioner was created as a separate entity from all the bureaus and programs of the Maine Department of Labor. The Office is funded 90.6% from federal administrative monies received

by each program and bureau of the Department. The State provides 9.4% of the administration costs. For FY 1985-86, federal monies of \$404,111 and state monies of roughly \$32,000 would be allocated for administrative services.

By eliminating the administrative cost allocation mechanism, LD 146 intended to incur administrative cost savings associated with alleged unnecessary administrative costs.

The bill was withdrawn because of the repercussions that could occur without an administrative cost allocation mechanism.

According to Mr. Nicholas Jourgeas (Office of the Assistant Secretary for Administration and Management - Washington), Director of the Office of Cost Determination, the State of Maine would be required to submit a cost-allocation plan that meets the requirements of OMB Circular A-87. In the event that the new cost-allocation plan failed to meet the standards of OMB Circular A-87, and a new plan is not proposed, the State could be penalized roughly \$30,000 (State share of Administrative Costs) or lose roughly as much as \$360,000 of federal monies.

LD: 147 RESOLUTION, PROPOSING AN AMENDMENT TO THE VOSE  
CONSTITUTION OF MAINE TO REMOVE THE  
RESTRICTION THAT PREVENTS A PERSON FROM  
SERVING MORE THAN 2 CONSECUTIVE TERMS AS

LV-WD HOUSE Accepted Committee Report  
SENATE Accepted Committee Report  
GOV

SUMMARY:

LD 147 proposed to remove the restriction in the Maine Constitution that prohibits Maine Governors from serving more than two consecutive terms in office. The sponsor's personal philosophy is that the will of the electorate should be expressed at the polls, and there should be no restrictions placed upon the candidates with respect to number of terms of office. Currently 21 states have no restrictions on the number of terms that the Governor may serve in those states.

The bill was withdrawn following the opposition to the bill as presented by a representative of the Governor.