AN ACT Redistributing the Powers of the Executive Council.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 1 MRSA § 12, first sentence, is amended to read:

The Governor, with the advice and consent of the Council, reserving such jurisdiction, may cede to the United States for purposes named in its Constitution any territory not exceeding 10 acres, but not including any highway; nor any public or private burying ground, dwelling house or meetinghouse, without consent of the owner.

Sec. 2. 1 MRSA § 13, first ¶, is amended to read:

Whenever the public exigencies require it, the Governor, with the advice and consent of the Council, may take in the name of the State, by purchase and deed, or in the manner denoted, any lands or rights-of-way, for the purpose of erecting, using or maintaining any fort, fortification, arsenal, military connection, way, railroad, lighthouse, beacon or other aid to navigation, with all necessary rights, powers and privileges incident to their use, and may deliver possession and cede the jurisdiction thereof to the United States, on such terms as are deemed expedient.

Sec. 3. 1 MRSA § 14, is amended to read:

§ 14. Survey of land to be taken; filing and recording

When the Governor and Council determine that a public exigency requires the taking of any land or rights as provided for in section
be appointed for one year and one for 2 years; one director shall be appointed by the city council of Portland; and one director shall be appointed by the city council of South Portland.

Sec. 428. P&SL 1941, c. 37, § 1, 2nd ¶, 1st and 3rd sentences, as repealed and replaced by P&SL 1967, c. 177, § 1, are amended to read:

The affairs of the school shall be controlled by a board of 12 trustees, as heretofore appointed, all residents of the State of Maine, who, together with their successors, shall be appointed by the Governor, with the advice and consent of the Council subject to review by the Joint Standing Committee on Education and to confirmation by the Legislature.

Any vacancy on the board shall be filled by appointment by the Governor with the advice and consent of the Council, subject to review by the Joint Standing Committee on Education and to confirmation by the Legislature, for the remainder of the unexpired term, but the majority of the board shall carry on business during the existence of any vacancy on the board.

Sec. 429. P&SL 1941, c. 69, § 4, (b), 2nd sentence, is amended to read:

The four members shall be appointed by the Governor by and with the advice and consent of the Council and shall be residents of the State of Maine at the time of their appointment and qualification and shall also at such time have been qualified electors therein for a period of at least one year next preceding their appointment.

Sec. 430. Effective date. This Act shall take effect on January 4, 1977.

STATEMENT OF FACT

This bill is the result of the State Government Committee's 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" pursuant to a study order, H. P. 1781. The bill represents proposed changes to the statutes for all references to the Executive Council and proposes the elimination or redistribution of all the powers and duties of the Council. It includes a new procedure, in accordance with the constitutional amendment, for the legislative confirmation of major appointments. The bill would take effect at the same time as the constitutional amendments, January 4, 1977.

The State Government Committee's report, dated February 2, 1976, available from the committee's office, includes an analysis of the committee's major recommendations and a section-by-section analysis of the statutes to be amended.