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LACKING LEADERSHIP WHY MAINE NEEDS A REAL COMMISSIONER

Gov. Paul LePage casts his refusal to officially nominate William Beardsley as a fight between he and the Legislature. It is much more than that. At its core, this is about LePage again refusing to do the basic job of governing.

Maine law requires that the state have a commissioner of education, appointed by the governor. “The commissioner is the chief executive officer of the department,” the law says. The commissioner’s job is “providing educational public leadership for the State.” Yet, Maine has been without an education commissioner since November 2014.

As a result, two new rules regarding special education and student vaccinations were shelved because no one at the Department of Education was authorized to sign off on them, the Office of the Attorney General concluded. Other routine work at the department also was in jeopardy, the AG’s office warned the governor’s office in emails last month.

After the governor’s last confirmed commissioner, Jim Rier, left on medical leave in November 2014, the governor swore in his policy adviser, Tom Desjardin, as acting commissioner. He never nominated Desjardin for the permanent job, so he was never subject to legislative confirmation.

LePage tapped Beardsley, the former president of Husson University, as acting commissioner after Desjardin’s term as acting commissioner expired in October. Because state law requires that an acting commissioner come from within the ranks of the department he is to lead, Beardsley took a job in the Department of Education for one day before becoming acting commissioner on the next day of business.

LePage later nominated Beardsley to serve as commissioner but withdrew the nomination in February, concerned that opposition from Democrats would derail it.

In April, LePage approved a financial order that created a temporary Department of Education posi-

tion, that of “Public Service Executive III,” so Beardsley could remain in charge of day-to-day operations — again, without legislative confirmation — until April 17, 2018.

Last month, the attorney general’s office refused to sign off on rules regarding student immunization and special education because no one at the department, including Beardsley, had the authority to sign them. The office also warned the LePage administration that other commissioner duties, such as signing off on student transfers between school districts and revoking teacher certifications, could not be fulfilled by Beardsley.

“The absence of a duly appointed Commissioner or Temporary Deputy Commissioner could cause decisions to be delayed or subject to challenge,” Linda Pistner, chief deputy attorney general, wrote in a May 3 email to Avery Day, the governor’s legal counsel. The email exchange was in response to a request from the Department of Education to have all the commissioner’s duties delegated to a deputy commissioner.

Pistner listed a dozen instances where the lack of commissioner at the department could be problematic, including teacher certification decisions, school funding, student transfers and school construction.

To fix this problem — and to continue to circumvent the law — LePage last week appointed Debra Plowman, a former lawmaker with no official education experience before she joined the department as a legislative liaison, as the department’s temporary deputy commissioner. Her first official act was to appoint Beardsley as deputy commissioner. His appointment, by law, can last only six months.

The simpler solution, of course, is for the governor to officially nominate Beardsley to the position, which the law requires, and go through the nomination process outlined in the state Constitution. This would ensure that Maine’s students, parents, educators and taxpayers have a functional Department of Education that fulfills its legal responsibilities.

OTHER VOICES

ADVANCEMENT RULES NEED UPDATE

Secretary of Defense Ashton Carter took office last year with a long list of reforms and not much time to undertake them. He has been successful with a few — notably, opening all combat positions to women — and now he needs to see through another profound change to Pentagon culture: relaxing the military’s strict rules on promotion.

The military operates on an “up or out” principle: Officers are expected to be raised to the next grade on a schedule, and (in general) if they fall behind or are passed over for promotion, they may be allowed to stay in long enough to qualify for a pension but eventually will have to move to civilian life. There are some advantages to this. It provides career stability and a clear route for those aspiring to top command posts. It also keeps the middle ranks from becoming overcrowded, which can prevent young officers from getting ahead.

Unfortunately, this system also hampers unconventional career paths. And as the lines between civilian and military roles become harder to draw, the services need to become more flexible.

The goal should be more military leaders with advanced degrees, fellowships at think tanks, Rhodes or Marshall scholarships, even experience in the private sector. Almost anything that improves someone’s technical knowledge should be regarded as a benefit. The military also should make it easier for offi-

cers and enlisted troops to take leave in times of family crisis.

Carter delineated many of these benefits in his wide-ranging Force of the Future personnel plan, released last year. But he quickly ran into resistance in the military and in Congress. At a hearing in February, John McCain, chairman of the Senate Armed Services Committee, called the proposals “expensive fringe benefits” that the military could not afford.

In fact, the opposite is true: The Pentagon cannot afford not to make these changes.

Unfortunately, their prospects took a sharp turn for the worse when Brad Carson, a former House member serving as the Pentagon’s point man on personnel matters, resigned in March. Carson had incurred the wrath of Congress by starting his job before the Senate confirmed him, creating an unnecessary distraction.

Carter needs to show that Carson’s resignation is not a sign that the Pentagon is giving up on these changes to its personnel system. The defense secretary already has assured the heads of the service branches that they can shape new promotion rules to suit their needs. Undoubtedly, more persuasion will be necessary, but Carter must continue pressing the military to change — for its own good and for the good of the nation’s security.

Bloomberg View (June 2)



LETTERS TO THE EDITOR

Perpetual neglect?

On May 27, the Friday before Memorial Day, I bought flowers, picked up my 86-year-old mother and proceeded to the cemetery to visit and plant flowers to honor my dad, as well as our other loved ones who have passed on. Rather than a cemetery, we were greeted with an 18-inch high pasture with the gravestone barely visible.

Has Memorial Day become insignificant to the caretakers of the cemetery on Ohio Street in Bangor? Do we no longer respect or care for our deceased veterans and loved ones?

Teresa Barrows
Hampden

Ranked-choice voting

Recently, I attended an informational meeting in Houlton about ranked-choice voting. I was pleased to find the presenters personable and well-informed.

This initiative will appear on the November ballot. I encourage everyone who plans to vote to attend a presentation on ranked-choice voting. If you can’t find one nearby, please contact the Committee for Ranked Choice Voting at rcvmaine.com. They will be happy to come to your area to explain how ranked-choice voting can be an important part of Maine’s future.

The League of Women Voters has done a substantial amount of research to recommend the approach to this subject, which would be best for Maine. I encourage readers to find out about it. I think ranked-choice voting is needed in Maine, and I hope others will agree.

Melissa Fuller
Houlton

No to gravesite neglect

I recently visited my grandparents’ and dad’s gravesites at the Riverside Cemetery in Orono. I was devastated at the way my loved ones’ final resting place looked. There was debris and weeds covering the front of the stone.

To me, this is so disrespectful. The people buried here were some of the founding fathers of the town. They worked, raised families, worshipped and paid their taxes, which funded the roads and schools. Many of these people served in the armed services.

My dad was a veteran of the Korean conflict, and he fought many hard battles overseas. Is this how the town pays tribute to these men and women? Cemeteries are filled with people whose loved ones either are gone or live far away.

I urge the town of Orono to take more pride and give a little more thought to how it treats these individuals. No daughter should ever have to feel the way I

did when I saw the condition of those gravesites, and no site should be neglected.

Patti Dube
Lisbon

Accept monument gift

Maine has been offered a generous gift of nearly 88,000 acres for a national monument in the Katahdin region, and I’ve heard so much spitting and spite about why we should refuse this gift, offered in good faith, for the public to enjoy.

I support designating Elliotsville Plantation Inc.’s land as a “treasured landscape.” As our woodlands come under new ownership, access isn’t guaranteed. Foresight is needed to maintain Maine’s history, heritage and future. Monument status would protect wildlife and wild land on which Mainers depend for clean, clear water and a natural, diverse forest.

Let’s not look a gift horse in the mouth.

Jayne Lello
Sebec

WRITE TO US

Letters must be 250 words or fewer and include a full name, town of residence and daytime phone number. OpEds may be 700 words. Letters may be edited or rejected for clarity, taste, libel and space. If a letter or OpEd is published, submissions by the same writer will not be considered for 60 days.

Letters may be sent to letters@bangordailynews.com. **OpEds** may be sent to OpEd@bangordailynews.com or P.O. Box 1329, Bangor, ME 04402-1329.

Transgender bigotry

Last week, I spent a day with 150 inspiring people working to save lives in Maine by preventing overdoses. Days before, I provided HIV tests to people struggling with homelessness, poverty and survival sex work. On Friday, my colleagues and I trained a health care center on serving the LGBTQ community and taught them horrifying statistics: 41 percent of transgender people have attempted suicide and 63 percent have suicidal ideation.

I’m exhausted. The Health Equity Alliance’s LGBTQ services team is hustling to keep LGBTQ Mainers alive, but the headlines are hustling something else: News that the governor of Maine is fighting federal civil rights protections for transgender students. Meanwhile, transgender students feel alone, unloved and feared. The public hears that violence against transgender people is justified.

When people in positions of power take the microphone to incite fear, they set a dangerous

precedent. Politicians encourage public outrage over issues that are cruelly fabricated. Voters encourage officials such as Paul LePage to continue rants against marginalized people for entertainment value. Let’s not pretend words do not have consequences.

For the majority of Mainers who disagree with LePage’s attacks on transgender people, people of color, refugees and people in poverty, our reaction can’t be to throw our hands up in defeat. We have to spend time talking to our neighbors and put the choice to them. If people condone his words, lives will be lost. Hate perpetuates violence, and that is not a Maine value.

Vanessa Macoy
Director of LGBTQ services
Maine Health Equity Alliance
Augusta

Koffman for Senate

Ted Koffman, who served eight years as a state representative from Bar Harbor, is widely known for his work on environmental and economic issues. What Mainers might not know is the work he has done to protect their rights to be informed.

As house chair of the Committee to Study Maine’s Freedom of Access Laws, from 2003-2006, Koffman provided leadership to a group of 14 Maine residents — including me — charged with examining the laws that ensure a citizen’s right to know what is going on in Maine government.

Thanks to Koffman’s ability to keep the committee focused and on task, the work it did resulted in two very significant recommendations that, I am happy to say, permanently changed the way in which Maine ensures freedom of information to its residents.

First, the committee recommended the establishment of a permanent Right to Know Advisory Committee, a version of the study committee, charged with providing oversight over the Freedom of Access law. That committee continues its important work today. Second, the committee recommended establishing a freedom of access ombudsman within the attorney general’s office. The ombudsman is a resident’s direct contact for all concerns about the use or abuse of public information in Maine government.

For these accomplishments and others, Koffman received the Maine Sunshine Award from the Maine Freedom of Information Coalition in 2008 in recognition of his leadership in furthering the cause of open government.

Koffman was a great representative, and he will be a great senator for District 7. Please support Koffman for state Senate in the June 14 Democratic primary.

Chris Spruce
Ellsworth

DOONESBURY



GARRY TRUDEAU