

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

FIRST SPECIAL SESSION

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 2348

H. P. 1855

House of Representatives, January 11, 1974

Referred to the Committee on State Government. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mrs. Clark of Freeport.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FOUR

**AN ACT to Transfer the Water Resources Planning Unit of
the State Planning Office to the Department of Conservation.**

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

Sec. 1. R. S., T. 38, § 344, additional. Title 38 of the Revised Statutes is amended by adding a new section 344 to read as follows:

§ 344. Water Resources Planning

There shall be created and established a Division of Water Resources Planning, formerly the Water Resources Planning Unit of the State Planning Office, within the Department of Conservation.

Sec. 2. Effective date. This Act shall become effective no later than December 31, 1975.

Sec. 3. State Planning Office employees. State Planning Office employees in the Division of Water Resources Planning presently unclassified shall be placed in the state classified system. The State Personnel Board is directed to amend the compensation plan of the State of Maine, as provided in the Maine Revised Statutes, Title 5 section 634, so that unclassified employees of the Division of Water Resources Planning of the State Planning Office shall be placed on the state classified system.

Employees thereafter shall be accorded the benefits as provided for in the Revised Statutes, Title 5, section 634.

Sec. 4. Application. The Revised Statutes, Title 5, section 676, shall not apply to any employees of the Water Resources Planning Unit of the State

Planning Office who, as of 90 days after this Act is passed, has satisfactorily completed at least 6 months of state service prior to enactment of this Act, shall have the time served counted toward his probationary service.

Sec. 5. Transitional provision. All existing regulations currently in effect and operation in the Water Resources Planning Unit of the State Planning Office shall continue in effect, unless in conflict with this Act until rescinded, amended or changed.

“Regulation” shall include, but is not limited to, any regulation, rule, order, administrative procedure, policy, determination, directive, authorization, permit, license, privilege, requirement, designation or agreement.

Sec. 6. Employees. All employees of the division referred to in this Act are, on the effective date of this Act, transferred to the Department of Conservation and shall continue in their employment or office without loss of accrued sick leave, vacation pay or other benefits after such effective date, without interruption unless such employment or office is terminated or abolished.

Sec. 7. Funds and equipment transferred. All accrued expenditures, assets, liabilities, balances of appropriation, transfers, revenues or other available funds in any account, or subdivision of an account of the division to be relocated to another department as a result of a reorganization effort, shall be transferred to the proper place in the new structure by the State Controller upon the recommendation of the department head, the State Budget Officer and upon approval by the Governor and Executive Council.

STATEMENT OF FACT

Pursuant to State Planning Office recommendation 32 of the Maine Management and Cost Survey, the Water Resources Planning Unit of the State Planning Office is transferred to the Department of Conservation.

Recommendation 32 would transfer the Water Resources Planning Unit to the Department of Environmental Protection. But upon review and study it is the strong opinion of the Governor that it should properly be transferred to the newly created Department of Conservation. This recommendation was supported by the Governor in his Special Message of the Special Session of the 106th Legislature on January 10 of 1974.