

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

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Legislative Document

No. 1090

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S. P. 437

In Senate, February 23, 1967  
Referred to Committee on State Government. Sent down for concurrence and ordered printed.

JERROLD B. SPEERS, Secretary

Presented by Senator Sewall of Penobscot.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-SEVEN

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AN ACT Creating a State Planning Council, Planning Committees and a State  
Planning and Economic Analysis Office.

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

Sec. 1. R. S., T. 5, Part 7, additional. Title 5 of the Revised Statutes is amended by adding a new part 7, to read as follows:

PART 7

STATE PLANNING

CHAPTER 309

STATE PLANNING

§ 3001. State Planning Council

There is established a State Planning Council which shall be concerned with coordinating and developing the several planning responsibilities of the State Government.

1. Responsibility. A system of state planning and implementation being a function and responsibility of the executive branch of State Government, the State Planning Council shall be directly responsible to the Governor.

2. Membership. The State Planning Council shall be appointed by the Governor and shall consist of 2 representatives drawn from each of the 5 Standing Planning Committees, 3 citizens at large, the President of the Senate and Speaker of the House as members ex officio, and such other members as the Governor shall deem in the best interests of effective state planning. Term of office shall be as the Governor elects, but shall be consistent with membership

on the standing committees when applicable and shall not be in excess of 4 years.

### 3. Duties.

A. The State Planning Council assisted by the State Planning Office shall consider how the planning responsibilities now or subsequently assigned to the State, or departments and agencies of the State, can best be coordinated and carried out for the efficient pursuit of public goals, and shall take steps within its authority to implement such coordination and action.

B. The council shall aid the various state departments in establishing and coordinating sound planning practices for the programming of their future operations.

C. The council shall receive, at least biennially, from each state department proposed plans covering that agency's operations for the following 10 years. Such plans shall include estimates of needs that the agency will be expected to meet, and measures and means which should be provided to meet such needs.

D. The council shall use such department plans to formulate an inclusive and coordinated state plan and transmit such plan to the Governor. The council should recommend priorities to state departments and assist the Bureau of Public Improvements with preparation of a capital budget program.

4. Aid in duties. The council shall be aided in these duties by the State Planning Office and the Standing Planning Committees, and at the Governor's request, by any or all departments or agencies of the State.

### § 3002. Master plan

The State Planning Council shall prepare and from time to time revise and perfect a master plan for the physical development of the State. Such master plan, with any accompanying maps, plats, charts and descriptive matter, shall be designed with the general purpose of guiding and carrying forward such coordinated, effective and economic development of the State, with due respect to its topography, resources and its present needs and future possibilities, as will best promote the health, safety, order, convenience, welfare and prosperity of the people. Among other things, such master plan shall tend to bring into suitable relation the use of land, soil, water and natural resources; the location and distribution of population and habitation; agriculture and forestry; recreational resources, facilities and opportunities; fishing and mining; trade and industry; ports, highways, railways, airways and every form of transportation, travel and communication; public institutions of every description, whether publicly or privately supported; water supply and disposal of sewage; and all such other developments and uses as will tend to avoid waste of the human, financial and physical resources of the State and to promote the above purposes.

### § 3003. Coordinating agency

The State Planning Council shall act as the coordinating agency between the several officers, boards, commissions, departments and divisions of the State in matters relative to the physical development of the State, including the Maine

Port Authority and Maine Aeronautics Commission, and review the proposals of said agencies in the light of their relationship to the master plan and incorporate the results of such reviews in the reports of the department. Nothing in this section shall be construed as limiting the powers and duties of any officer, board, commission, department or division of the State.

§ 3004. Assistance and advice.

The State Planning Council shall assist in planning and executing any public or private project involving federal grants or loans; advise, confer and otherwise cooperate with municipal planning boards, agencies, officials, civic and other groups and citizens in matters relating to urban renewal, zoning and planning relating to schools, housing, health, land use controls, assessment and taxation, and other objectives; initiate, encourage and assist local planning boards and other municipal agencies and officials in regional planning and urban renewal.

§ 3005. Planning committees

There are established 5 Standing Planning Committees to be concerned with planning and goals in the following fields:

Human resources; natural resources; transportation; local and regional planning; and economic policy.

1. Membership. The Governor shall designate the members of the 5 Standing Planning Committees in numbers and representation and terms as he deems appropriate except that:

A. No term of appointment shall exceed 4 years.

B. The Committee on Human Resources shall contain representatives from advisory commissions in the fields of health and welfare, education, employment, economic development, public health, regulation and the arts and the humanities.

C. The Committee on Natural Resources shall contain representatives from advisory commissions or councils or department heads in the fields of inland fisheries and game, sea and shore fisheries, agriculture, soil and water conservation, natural resources, forestry, mining and oceanography.

D. The Committee on Transportation shall contain representation from the advisory commissions in the field of transportation.

E. The Committee on Local and Regional Planning shall be composed of a representative elected by each regional planning commission established in accordance with Title 30, chapter 239.

(1) Where there exists no properly constituted regional planning commission, a representative shall be appointed from the most effective regional group working on regional planning and development in the area until such time as an official regional planning commission is established in accordance with Title 30, chapter 239, and its delegate elected to the committee.

F. The Committee on Economic Policy and Goals shall contain 2 representatives from the Department of Economic Development Advisory Council and such other representatives from the fields of commerce, manufacturing, service activities, utilities, communications industry, higher education research and labor.

2. Duties. The Standing Planning Committees shall assist the State Planning Council by furnishing information pertinent to plans, goals, policies and other data in their respective fields.

#### § 3006. State Planning and Economic Analysis Office

There is established a State Planning and Economic Analysis Office which shall be in the executive branch of the State Government and shall be administered by the Governor.

1. Powers and duties. The State Planning and Economic Analysis Office shall:

A. Conduct continuing economic analysis of the economy and resources of the State of Maine, collect and collate all pertinent data and statistics relating thereto, establish a data and statistics center for making available in useful form such material.

B. Assist the Governor, the Legislature, the State Planning Council and the various state departments in formulating economic goals and programs and policies to achieve such goals.

C. Prepare comprehensive plans for the development of the State by coordinating the individual planning efforts of the several departments and agencies.

D. Upon request provide technical assistance to local and regional planning groups.

E. Provide coordinators who shall act as executive secretary for each of the Standing Planning Committees.

2. Staff. The Governor is authorized to employ, with the approval of the Executive Council, the following:

A. A professional planner holding a master's degree in city or regional planning and having a minimum of 6 years' experience who shall serve as Planning Coordinator or Chief Planner, and who shall be responsible for supervising all personnel and activities of the office and serve as executive secretary to the State Planning Council.

B. A professional economist with a minimum of a master's degree in economics and 4 years' experience, some of which shall have been with industrial, commercial or financial companies or institutions.

C. Planners in the fields of local and regional planning, human resources, natural resources and transportation.

D. The State Planner is authorized to employ such statistical, clerical and other office help as required and authorized by the budget.

3. Consultant services. The State Planning Office, with the consent of the Governor, may employ such expert and professional consultants, and contract for such research projects, as it deems necessary, within the limits of the funds provided and consistent with the powers and duties of the office.

4. Agreements. The State Planning and Economic Analysis Office is authorized and empowered to enter into such agreements with the Federal Government and other agencies and organizations as will promote the objectives of this chapter.

5. Acceptance of funds. Funds from the Federal Government or from any individual, foundation or corporation may be accepted by the State Planning and Economic Analysis Office and expended for purposes consistent with this chapter.

6. Reports. The State Planning and Economic Analysis Office shall make reports at least annually to the Governor and the Legislature.

#### § 3007. Limitation

Nothing in this chapter creating a State Planning Council, Standing Planning Committees and a State Planning Office shall operate to restrict, limit or alter planning powers conferred upon state agencies, state agency heads, instrumentalities of the State, regional planning agencies or municipalities by any existing law except as provided in sections 3002 to 3005.

#### § 3008. Geological Survey

The Division of Geological Survey is created within the State Planning Council and shall gather and compile geologic information of both the bedrock and surficial features of the State; to present this information in printed maps and reports for the general public and the mining industry; to assist existing mining operations in the State; and promote the development of the mineral potential of the State.

The division may employ professional geologists to perform geologic mapping on specific projects in Maine, to provide basic geologic information and the location and environment of mineral deposits. The results obtained from these projects shall be compiled and published as soon as it is possible within the budgetary limitations of the department.

The division shall provide advisory assistance to any mining company interested in exploring the mineral resources of the State. Members of the division staff shall visit the executive offices of mining companies at intervals sufficient to maintain the interest of company executives in mineral development in the State of Maine.

The division shall cooperate with other divisions of the department and other state agencies in promoting the economy of the State.

There is established within the division a revolving fund for the use of the division to cover printing and distribution costs for geological and related technical literature.

The director is authorized to fix the price at which publications of the Maine Geological Survey may be sold and delivered. The council shall receive without charge 10% of all such publications for complimentary distribution.

The director is authorized to fix the price at which United States Geological Survey and other United States Government maps, charts and other publications may be sold and delivered, provided such publications are specifically authorized for resale by the originating agency and are specifically concerned with technical information on the State of Maine.

Income from the sale of publications shall be credited to the revolving fund to be used as a continuing carrying account to carry out the purpose of the publication fund.

The division staff shall initiate and develop research projects in the field of economic geology and basic geology which are necessary to advance the total geologic knowledge of the State.

The Director of the Division of Geological Survey shall act as Maine State Geologist performing whatever duties as shall be required by law and tradition.

**Sec. 2. Transfer of Maine Mining Bureau.** The functions of the Maine Mining Bureau, Title 10, sections 2101 to 2111, shall be transferred to the State Planning and Economic Analysis Office and be the responsibility of the Standing Committee of Natural Resources.

**Sec. 3. R. S., T. 10, § 451, sub-§§ 6, 7, 8, repealed.** Subsections 6, 7 and 8 of section 451 of Title 10 of the Revised Statutes are repealed.

**Sec. 4. R. S., T. 10, § 651, repealed.** Section 651 of Title 10 of the Revised Statutes, as repealed and replaced by chapter 204 of the public laws of 1965, is repealed.

**Sec. 5. Transfer of personnel and budget.** The Assistant Director of the Planning Division, who is chief administrator of planning programs and holds a position of Planning Associate II, shall be transferred to the State Planning and Economic Analysis Office. In addition, one position of Planning Associate II, one position of Planning Associate I, one position of Illustrator, and the position of Clerk Typist II shall be transferred to the State Planning and Economic Analysis Office.

The positions will remain classified, but the Personnel Board is instructed to re-evaluate the positions in comparison with the planning positions in other New England States and in comparison with the Engineering Positions of the State Highway Commission with the intent of upgrading the positions to enable the State to be competitive in obtaining professional planners.

The appropriation requests of the Department of Economic Development, or actual appropriations, which cover the positions or relate to the supplying and supporting of the positions for planning assistance to Maine regions and municipalities are transferred with the positions. This includes the transfers and contributions appropriation of \$25,000 for urban planning and \$20,000 for urban renewal consultation advice and assistance.

**Sec. 6. Appropriation.** There is appropriated from the General Fund to the State Planning and Economic Analysis Office of the Executive Department the sum of \$105,000 for the fiscal year ending June 30, 1968 and \$105,000 for the fiscal year ending June 30, 1969 to carry out the purposes of this Act. The breakdown shall be as follows:

	1967-68	1968-69
EXECUTIVE DEPARTMENT		
State Planning and Economic Analysis Office		
Personal Services	(5) \$ 50,000	(5) \$ 50,000
*All Other	53,000	53,000
Capital Expenditures	2,000	2,000
	<hr/> \$105,000	<hr/> \$105,000
*All Other		
Printing, supplies	\$ 8,000	\$ 8,000
Telephone, travel		
State Matching Funds to Obtain		
Federal Planning Funds for		
State-wide Comprehensive Planning	10,000	10,000
Transportation Planning	25,000	25,000
Economic Analysis & Development	10,000	10,000
	<hr/> \$ 53,000	<hr/> \$ 53,000
Total		