

MAINE STATE LEGISLATURE

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SECOND SPECIAL SESSION

ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 1842

H. P. 1313

House of Representatives, January 9, 1968

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

BERTHA W. JOHNSON, Clerk

Presented by Mr. Martin of Eagle Lake.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-EIGHT

AN ACT Creating a State Planning Office.

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

Sec. 1. R. S., T. 5, Part 8, additional. Title 5 of the Revised Statutes is amended by adding a new part 8, to read as follows:

PART 8.

STATE PLANNING

CHAPTER 311

STATE PLANNING

§ 3301. Title

This chapter shall be known and may be cited as the "Maine State Planning Act."

§ 3302. Definitions

The following terms shall have the following meanings, unless a different meaning is plainly required by the context:

1. Comprehensive planning. "Comprehensive planning" includes, but is not limited to:

A. Preparation of long-range plans and goals for human and physical resources and their development and utilization.

2. Council. "Council" means the State Planning Council as provided in section 3306.

3. Director. "Director" means the State Planning Director.

4. Office. "Office" means the State Planning Office as provided in section 3303.

§ 3303. State Planning Office

There is established to carry out the purpose of this chapter a State Planning Office in the Executive Department 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 Office shall be directly responsible to the Governor, and shall serve as an advisory, consultative, coordinating, administrative and research agency as specified in section 3305.

§ 3304. State Planning Director

1. Director. The executive head of the State Planning Office shall be the director and shall be appointed by the Governor with the approval of the Executive Council and shall hold office for a term of 4 years. The director shall be paid a salary fixed by the Governor and Council.

2. Qualifications. The director shall be qualified by education, training and experience.

3. Powers and duties. The director shall exercise the powers of the State Planning Office and shall be responsible for the execution of its duties. The director shall:

A. Appoint and remove the staff of the office and prescribe their duties as may be necessary to implement the purposes of this chapter. Professional employees, such as planners or economists, authorized by this chapter shall be hired as unclassified employees. All other employees shall be subject to those civil service and personnel policies established for state employees generally and shall be paid salaries at rates of pay comparable to those of state employees with equivalent responsibilities in other state agencies.

B. Supervise and administer the affairs of the State Planning Office and advise the Governor and the State Planning Council with respect to matters affecting state planning.

C. Serve as secretary of the State Planning Council.

D. Advise the State Planning Council of the activities of the office and submit to the council for its consideration and advise the Maine Comprehensive Plans or any phase or part, amendment, revision or deletions thereto.

E. Advise the Governor, the State Planning Council, and other officials of the State Government on all matters of state-wide planning and consult with

them in respect to planning matters and projects which affect the future plans of the State.

F. Be assisted by departments, agencies, authorities, boards, commissions, other instrumentalities of the State or other governmental units in the gathering of information, reports and data which relate to state planning. The State Planning Office shall designate staff members of the office who shall work with the several departments.

G. The director may act for the State in the initiation of or participation in any multi-governmental agency program relative to the purposes of this chapter.

H. The director shall prepare and submit for executive and legislative action thereon the budget for the State Planning Office.

I. The director shall make reports at least annually to the Governor and to the Legislature on the activities of the office and, after consultation with and approval by the Governor, submit such recommendations for legislative action as deemed necessary to further the purposes of this chapter.

§ 3305. State Planning Office

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

A. Provide technical assistance to the Governor and the Legislature in identifying long-range goals and policies for the State.

B. Shall design planning studies and analytical techniques as needed for the discharge of its responsibilities.

C. Conduct continuing analysis of the economy and resources of the State of Maine, collect and collate all pertinent data and statistics relating thereto; participate in establishing a data and statistics center for making such material available in useful form; and assist the Governor, the Legislature and the various state departments in formulating economic goals, comprehensive plans, and programs and policies to achieve such.

D. Intergovernmental coordination of planning activities.

E. Coordination of related departmental plans.

(1) The State Planning Office shall act as the coordinating agency between the several officers, authorities, boards, commissions, departments and divisions of the State in matters relative to the development of the State, and review the proposals of said agencies in the light of their relationship to the comprehensive plan and incorporate such reviews in the reports of the office. Nothing in this section shall be construed as limiting the powers and duties of any officer, authority, board, commission, department or political subdivision of the State.

The director of the department is authorized to draw on other state agencies and departments for such resources and assistance as may be feasible for planning purposes. All agencies shall make available such information and

resources within their respective agencies as are relevant to the overall objectives of state planning activities.

(2) Provide general coordination and review of plans in functional areas of State Government as may be necessary for receipt of federal funds.

2. Administrative responsibilities.

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

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

§ 3306. State Planning Council

1. Appointment. The Governor shall appoint a State Planning Council of not to exceed 15 members to advise the Governor and the director on policy matters as specified in this chapter.

2. Membership. The State Planning Council shall be appointed by the Governor with the advice and consent of the Executive Council and shall consist of 13 members and the Speaker of the House and President of the Senate, or their designees, as members ex-officio. Terms of office shall not be in excess of 4 years except that initial appointments shall be for one, 2, 3 and 4 years. The members shall serve without compensation but be reimbursed for necessary expenses incurred in the performance of their duties. The chairman of the State Planning Council shall be designated by the Governor.

3. Duties. The State Planning Council shall:

A. Meet at least twice each year and at other times at the request of the Governor. In addition, the chairman shall call a meeting of the council whenever requested to do so by the State Planning Director or by any 4 members, or he may do so on his own initiative.

B. Consider Comprehensive Plans or any part thereof prior to final submission to the Governor, and advise the director thereto.

C. Request and consider special reports by the State Planning Office concerning activities of the office.

D. Request information of the director concerning current programs, which in the opinion of the council, are of public interest.

E. Act in a general advisory capacity to the director.

F. Study and report from time to time upon the effectiveness of planning in the State, of the effectiveness of this chapter, and to urge its revision or amendment when, in the opinion of the council, such action is necessary to assure the maximum effectiveness of planning activities covered herein.

G. Advise and assist the director in fostering public awareness and understanding of the objectives and functions of state and local planning and in

stimulating public participation and interest in the orderly, integrated, development of the State.

H. Hold hearings and sponsor public forums in any part of the State.

I. Consider how the planning responsibilities assigned to the State or departments or agencies of the State can best be coordinated and carried out for the efficient pursuit of public goals and shall advise the Governor concerning desirable steps to implement such coordination and action.

J. Advise and aid the various state departments in establishing and coordinating sound planning practices for the programming of their future operations.

§ 3308. Limitation

Nothing in this chapter creating a State Planning Office and State Planning Council 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 this chapter.

Sec. 2. R. S., T. 10, § 451, sub-§ 7, repealed. Subsections 6 and 7 of section 451 of Title 10 of the Revised Statutes are repealed.

Sec. 3. Appropriation. There is appropriated from the General Fund to the State Planning Office of the Executive Department the sum of \$65,000 for the fiscal year ending June 30, 1969 to carry out the purposes of this Act. The breakdown shall be as follows:

EXECUTIVE DEPARTMENT	1968-69
State Planning Office	
Personal Services	(4) \$38,000
All Other	25,000
Office expenses and federal matching programs relating to planning	
Capital Expenditures	2,000
	\$65,000