

MAINE STATE LEGISLATURE

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New Draft of: S. P. 498, L. D. 1459

ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 1831

S. P. 638

In Senate, June 11, 1971

Reported by Senator Johnson of Somerset from Committee on State Government and printed under Joint Rules No. 18.

HARRY N. STARBRANCH, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT to Create the Department of Environmental Protection.

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

Sec. 1. R. S., T. 12, Part 7, additional. Title 12 of the Revised Statutes is amended by adding a new Part 7, to read as follows:

PART 7

ENVIRONMENTAL PROTECTION

CHAPTER 425

ENVIRONMENTAL PROTECTION

§ 5001. Department; commissioner

There is created and established a Department of Environmental Protection, hereinafter called "the department", to protect and improve the quality of our natural environment and the resources which constitute it, and to improve the public's opportunity to enjoy and exist healthily in the environment, by controlling the man-made despoliation of our resources and directing growth and development along planned lines which will preserve for all time an ecologically sound and aesthetically pleasing balance of naturally occurring resources, to consist of a Commissioner of Environmental Protection appointed by the Governor with the advice and consent of the Council to serve at the pleasure of the Governor and Council, and the following as heretofore created and established: The Environmental Improvement Commission, the Board of Pesticides Control, the Wetlands Control Board, the Maine Mining Commission, the Maine Land Use Regulation Commission, the

Pest Control Compact Administrator, the Board of Certification of Water Treatment Plant Operators, the New England Interstate Water Pollution Control Commission, and the Division of Sanitary Engineering of the Department of Health and Welfare.

Sec. 2. Organization. The Joint Select Special Committee of the Legislature on Governmental Reorganization, with the assistance of the commissioner, shall prepare a plan of organization of the department into such bureaus, divisions and sections as may be necessary to carry out efficiently the work of the department. The committee, with the assistance of the commissioner, shall prepare legislation to be presented to a special session of the 105th Legislature to amend, repeal and rearrange statutes to reflect this department's powers, responsibilities and organization.

Directors of bureaus shall be appointed by the Governor, with the advice and consent of the Council, to serve at the pleasure of the Governor and Council.

The commissioner shall prepare a budget for the department in accordance with the Revised Statutes, Title 5, chapter 149.

The commissioner and the Joint Select Special Committee of the Legislature on Governmental Reorganization may recommend the legislation for the transfer from or to another state department such functions as would appear to properly belong to the other department or to his department. The commissioner shall have no powers or duties relative to the proposed department except those listed in this section.

Sec. 3. Effective date. This Act shall become effective 91 days after adjournment of the Legislature.