

MAINE STATE LEGISLATURE

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New draft of: H. P. 1102, L. D. 1508

ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 1838

H. P. 1415

House of Representatives, June 15, 1971

Reported by Mr. Donaghy from Committee on State Government and printed under Joint Rules No. 18.

BERTHA W. JOHNSON, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT Relating to the Parks and Recreation Department.

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

Sec. 1. R. S., T. 12, § 602, amended. The first 2 paragraphs of section 602 of Title 12 of the Revised Statutes, as amended, are repealed and the following enacted in place thereof:

The Parks and Recreation Department, hereinafter in this Title called the "department," is hereby established and shall exercise such powers and perform such duties as are set forth in this Title. The Parks and Recreation Department shall consist of a Commissioner of Parks and Recreation, hereinafter called the "commissioner," and such official and clerical staff as are provided for. The Maine State Park and Recreation Commission is hereby abolished and all the powers, duties, rights, responsibilities, liabilities and functions of any kind or nature, which have been, until the effective date of this Act, reposed in the Maine State Park and Recreation Commission by any public or private law or by any lease, grant, contract or other legal transaction, are hereby vested in the commissioner. The Governor, with the advice and consent of the Council, shall appoint a commissioner of Parks and Recreation whenever a vacancy occurs. The commissioner shall hold office during the tenure of the Governor and shall serve until his successor is appointed and qualified.

The department shall have jurisdiction, custody and control in, over and upon all state parks and memorials and national parks which are under control and management of the State, excepting Baxter State Park. Wilderness or natural areas, or both, shall be established and managed primarily to preserve the natural character and features of such areas, and any use or development which threatens such character and features shall be prohibited. It

is not the intention of the Legislature to include under this chapter any national parks now existing or which may be hereafter created under national management or control. Said department shall have and exercise the following powers and authority:

Sec. 2. R. S., T. 12, § 602, sub-§ 10, amended. Subsection 10 of section 602 of Title 12 of the Revised Statutes is amended to read as follows:

10. Employees. To fix the duties of and to employ permanently or part time such employees and other personnel, **except the director**, subject to the Personnel Law, as the commission may from time to time deem necessary in the discharge of its duties under this chapter; and to accept gifts and bequests of money or other personal property to be used in advancing the recreational and conservation interests in state parks.

Sec. 3. R. S., T. 12, § 602-A, additional. Title 12 of the Revised Statutes is amended by adding a new section 602-A, to read as follows:

§ 602-A. Director

The Governor, with the advice and consent of the Council, shall appoint, to serve at their pleasure, a qualified director to administer this chapter.

Sec. 4. Transition. The person acting as director on the effective date of this Act shall be the first director appointed under section 602-A.

Sec. 5. Effective date. This Act shall be effective on January 1, 1972. The Governor, with the advice and consent of the Council, shall appoint a Commissioner of Parks and Recreation to assume office on January 1, 1972.