

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 2358

H. P. 1864

House of Representatives, January 15, 1974

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

E. LOUISE LINCOLN, Clerk

Presented by Mr. Bustin of Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FOUR

**AN ACT to Transfer the Coastal Planning Unit of the State Planning Office
to the Department of Environmental Protection.**

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

Sec. 1. R. S., T. 38, § 343, additional. Title 38 of the Revised Statutes is amended by adding a new section 343, to read as follows:

§ 343. Coastal planning

The Coastal Planning Unit of the State Planning Office shall, upon completion of the plan by the State Planning Office but no later than December 31, 1975, be dissolved and its functions transferred as follows: The regulatory related functions to the Board of Environmental Protection in the Department of Environmental Protection, Marine Resources Management to the Department of Marine Resources and any land management functions to the Department of Conservation.

Sec. 2. State Planning Office employees. State Planning Office employees in the division of Coastal 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 Coastal Planning of the State Planning Office shall be placed on the state classified systems.

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

Sec. 3. Application. The Revised Statutes, Title 5, section 676, shall not apply to any employees of the Coastal Planning Unit of the State Planning Office who, as of 90 days after this Act is passed have 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. 4. Transitional provision. All existing regulations currently in effect and operation in the Coastal Planning Unit of the State Planning Office shall continue in effect, unless in conflict with this Act, until rescinded, amended or changed.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. 5. Employees. All employees of the division referred to in this Act are, on the effective date of this Act, transferred to the proper departments of State Government 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. 6. Funds and equipment transferred. All accrued expenditures, assets, liabilities, balances of appropriations, 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 31 of the Maine Management and Cost Survey, the Coastal Planning Unit of the State Planning Office shall be dissolved upon completion of the plan and the administrative and enforcement functions transferred to the proper departments of State Government. The Governor in Special Message of January 10th to the 106th Special Session supported this recommendation.