

MAINE STATE LEGISLATURE

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N I N E T Y - S E V E N T H L E G I S L A T U R E

Legislative Document

No. 620

H. P. 514

House of Representatives, February 9, 1955.

Referred to Committee on Appropriations and Financial Affairs. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Miss Cormier of Rumford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-FIVE

AN ACT to Create the Department of Industry and Commerce and to Amend the Laws Relating to the Department of Labor and Industry and Maine Development Commission to Conform Thereto.

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

Sec. 1. R. S., c. 29-A, additional. The revised statutes are hereby amended by adding thereto a new chapter to be numbered 29-A, to read as follows:

'Chapter 29-A.

DEPARTMENT OF INDUSTRY AND COMMERCE.

Organization.

Sec. 1. Commissioner; division chiefs; salaries. There is hereby created a Department of Industry and Commerce, hereinafter in this chapter called the "Department." The Department shall be under the supervision and control of a Commissioner of Industry and Commerce, hereinafter in this chapter called the "Commissioner." He shall be appointed by the Governor with the advice and consent of the Council for a term of 7 years, and shall hold office until his successor is appointed and qualified and may be removed by the Governor and Council for cause. Any vacancy in the said office shall be filled by appointment for a like term in the same manner as hereinbefore provided.

He shall receive such salary as the Governor and Council may determine.

The Commissioner may appoint 3 division chiefs with the approval of the Governor and Council. The salaries of the division chiefs shall be fixed by the Commissioner with the approval of the Governor. The division chiefs shall perform such duties as the Commissioner shall prescribe. The Commissioner may

also employ such deputies, assistants and employees as may be necessary, subject to the provisions of the personnel law.

The Commissioner may employ a State Geologist to serve at the pleasure of the Commissioner. The State Geologist shall perform such duties as shall be required of him by law or assigned to him by the Commissioner.

The Commissioner shall organize a Division of Research, a Division of Planning and a Division of Development, and such other Divisions with the approval of the Governor and Council as he may deem necessary. The Commissioner and the Commissioner of Labor shall from time to time confer on matters affecting the economic and social welfare of the State, including hours of labor, wages, industrial safety and regulatory decisions and orders.

The Commissioner is authorized and empowered to accept for the State any Federal funds apportioned under the provisions of Federal law relating to urban planning and planned public works and to do such acts as are necessary for the purpose of carrying out the provisions of such Federal law.

Sec. 2. Cooperation with others. The several officers, Boards, Commissions, Departments and Divisions of the State, and city and town officials, may consult with the Department and shall furnish or make available to it on request all data and information within their knowledge or control.

Division of Research.

Sec. 3. Powers and duties. The Division of Research shall:

I. Compile and maintain information useful to the development of industry and commerce concerning sites, space, equipment, adequate housing, contracts, materials, transportation, markets and other economic considerations, and compare advantages offered by other states.

II. Assist in the preparation of reports upon request from the Governor or any State Department.

III. Compile such other data and make such other studies on manufacturing, agriculture, mining, fishing, trade and other economic activities in the State as are necessary to aid the Division of Development and the Division of Planning in carrying out their duties.

IV. Employ or engage with the approval of the Governor and Council such outside technical or professional consultants as may be necessary or appropriate to assist the Division in carrying out its function.

V. Initiate basic studies of population trends, industrial trends, economic conditions, and resulting problems as a service not only to the Divisions of Planning and Development, but also to the Legislature, the administrative departments of the State, and any political subdivision thereof.

VI. Study specific problems peculiar to the industry and economy of Maine with a view towards the broader utilization of our natural resources and the development of new and improved industrial products and techniques, which studies shall be advanced by co-ordination of research with existing private and governmental agencies and educational institutions, and may be advanced

by contractual relations with persons or organizations familiar with the problems and equipped to conduct the needed research.

VII. Prepare evidence and supporting data whenever the viewpoint of the State is to be presented before any State or federal agency with respect to matters affecting the economic interests of the State.

VIII. Maintain an historical file of each industry in the State, with pictures of such industries, together with any possible reason why each such industry might move from the State.

IX. Prepare evidence and supporting data on types of industry on which special efforts should be made to locate them in Maine.

Division of Planning.

Sec. 4. Powers and duties. The Division of Planning shall:

I. 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 co-ordinated, 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, morals, 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, forestry, 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.

II. Assist in planning any public or private project as to which federal appropriations, grants or loans may pay any part of the cost.

III. Make such maps, plans and estimates of cost as may be needed for its investigations and reports.

IV. Act as the co-ordinating 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; provided, that nothing in this section shall be construed as limiting the powers or duties of any officer, Board, Commission, Department or Division of the State.

V. Initiate, encourage and carry on regional planning and advise and assist local planning boards and other municipal agencies in co-operative efforts intended for the mutual benefits of the municipalities constituting such regional areas.

VI. Advise, confer and cooperate with municipal planning boards, boards of appeal and other local officials, civic and other groups and citizens in matters relating to planning and zoning and furnish any pertinent information in its possession.

VII. Study problems of schools, housing, health, land use controls, assessment and taxation.

VIII. Assist in preparing and executing long-range capital budgeting and programming of public works projects.

Division of Development.

Sec. 5. Powers and duties. The Division of Development shall:

I. Further the development and the expansion of industry, with particular attention to small business, existing business, and attract new business to the State by

A. Promoting the welfare of existing industry and the location of new business and co-ordinating these activities with the efforts of public, private and other agencies;

B. Negotiating directly with industry seeking suitable location within the State in cooperation with public, private and other agencies;

C. Disseminating information setting forth the commercial, transportation, industrial and other facilities and advantages of the State;

D. Promoting the industrial development efforts of local communities by assisting in the formation of industrial foundations in cooperation with local agencies;

E. Negotiating directly with existing industries seeking expansion within the State and providing them with technical assistance, with special emphasis in aiding the retention of an existing industry which might relocate outside of Maine; and

F. Helping small business to find markets, domestic or foreign, for their products.

Sec. 2. R. S., c. 39, § 2, amended. Section 2 of chapter 39 of the revised statutes is hereby amended to read as follows:

Sec. 2. Appropriations; duties. The purpose of the appropriation is for the advertising and publicly setting forth and displaying agricultural, industrial and recreational resources, activities and attractions of the State. ~~Thirty-seven and one half per cent~~ **Fifty per cent** of the total appropriation shall be expended in equal proportions for the purpose of advertising and promoting the agricultural products of the State, advertising and promoting the sea and shore fishing products of the State, and ~~advertising and promoting industries in the State.~~ The Commission shall also be empowered to carry on research in relation to the agricultural, industrial, recreational and natural resources of the State. The Commission shall arrange for, authorize and supervise the expenditure of all money appropriated under the provisions of this section and shall have full

authority to execute contracts for the preparation, publication, dissemination and furnishing of information incidental to the purposes of this chapter. The members of the Commission may be recompensed for their expenses incurred in the performance of their duties but shall not receive any salary. Expenditures authorized by the provisions of this chapter shall be paid for only on vouchers approved by the Commission and the State Controller.'

Sec. 3. R. S., c. 39, § 6, repealed. Section 6 of chapter 39 of the revised statutes is hereby repealed, as follows:

~~'Sec. 6. State geologist. The Maine development commission shall employ a state geologist to serve at the pleasure of the commission. The commission shall also employ such assistants as are deemed necessary, subject to the provisions of the personnel law. The state geologist and such assistants shall perform such duties as shall be required of them by law or assigned to them by the commission.'~~

Sec. 4. Amendatory clause. Wherever in the revised statutes or public laws the words "Commissioner of Labor and Industry" or "Department of Labor and Industry" appear they shall mean "Commissioner of Labor" or "Department of Labor."

It is the intent of the Legislature to amend chapter 30 of the revised statutes of 1954 so that all references to "industry" as distinct from 'labor' are repealed, except the regulatory laws relating to industry.