

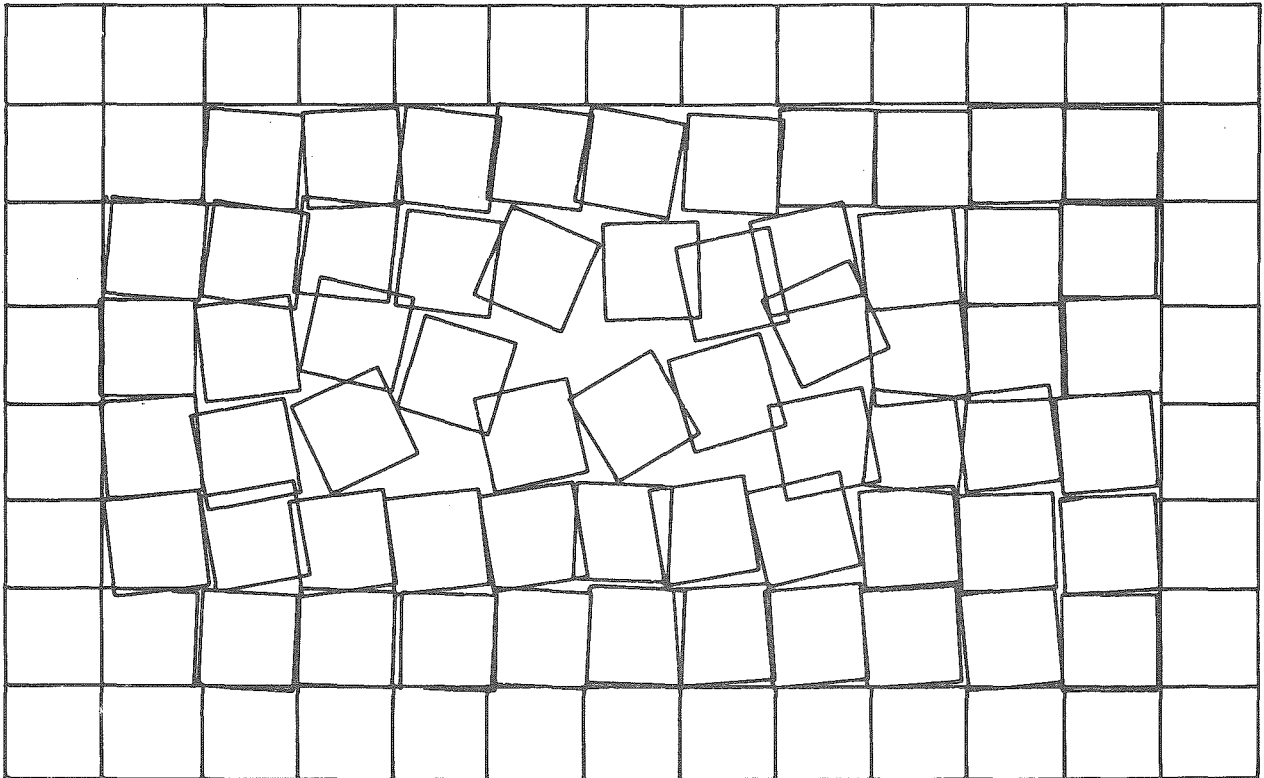
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# A MORE RESPONSIVE GOVERNMENT



## The Need for a Focus

The Final Report to the Governor  
of the Task Force on Regional and District Organizations

November 15, 1978



A MORE RESPONSIVE GOVERNMENT

THE FINAL REPORT TO THE GOVERNOR  
OF THE  
TASK FORCE ON REGIONAL AND DISTRICT ORGANIZATIONS

NOVEMBER 15, 1978





Robert E. L. Strider  
Chairman

State of Maine  
**Task Force on Regional and District Organizations**  
184 State Street, Augusta, Maine 04333  
Tel. (207) 289-3261

November 15, 1978

James B. Longley  
Governor of the State of Maine  
State House  
Augusta, Maine 04333

Dear Governor Longley:

The Task Force on Regional and District Organizations is pleased to transmit to you its final report and recommendations concerning substate districts in Maine.

The Task Force was given an enormous assignment. Through our studies of Federal, State and other governmental entities, we found literally hundreds of public and quasi-public substate districts operating in Maine. While we did not find major duplication of efforts, we did find that these organizations are highly fragmented and frequently uncoordinated, and many lack accountability to the public.

The recommendations contained in our report are the product of many meetings, public hearings, local official surveys, written and oral testimony, and the evaluation of many reports and documents. We feel that we have accomplished the mandate charged to the Task Force and that we have made a modest step toward making government more responsive to the people of Maine.

The Task Force is ready to assist in the implementation of the recommendations. We have welcomed this opportunity to participate in this most important effort.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert E. L. Strider".

Robert E. L. Strider, Chairman  
Task Force on Regional and  
District Organizations

RS/pj



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OFFICE OF  
THE GOVERNOR

NO. 6 EY 77/78  
DATE October 17, 1977

TASK FORCE ON REGIONAL AND DISTRICT ORGANIZATIONS

WHEREAS, in Maine there are twenty major departments and agencies which provide licensing and regulatory functions and direct services to people and businesses; and,

WHEREAS, these departments and agencies provide such services in a range of sub-state divisions from one to thirty-eight and whose combined service areas exceed one hundred; and,

WHEREAS, in Maine Federal agencies support some twelve different sub-state districts, including Regional Planning Commissions, Economic Development Districts, Resource Conservation and Development Districts, Soil and Water Conservation Districts, Agricultural Stabilization Districts, Community Action Agencies, Water Quality Management Districts, Air Pollution Control Districts, Areawide Health Planning Agencies, Regional Health Agencies, Law Enforcement Planning and Assistance Districts and Manpower Planning Districts; and,

WHEREAS, M.R.S.A., Title 30, Section 4521 established eight planning and development districts serviced by eleven regional planning agencies for the purpose of encouraging federal, state and local comprehensive planning and coordinated development; and,

WHEREAS, state and federal agency regional districts frequently do not coincide with the areas covered by Planning and Development districts; and,

WHEREAS, in Maine there are sixteen counties and four hundred and ninety seven municipalities and several plantations offering a variety of services and functions; and,

WHEREAS, the preliminary report of the Commission on Maine's Future has recommended that state and local governments be strengthened; and,

WHEREAS, the governmental service delivery system is sometimes confusing, fragmented and uncoordinated and difficult for Maine residents to use and understand;

NOW, THEREFORE, I, JAMES B. LONGLEY, Governor of the State of Maine, do hereby create a Task Force on Regional and District Organizations to be comprised of Maine citizens familiar with governmental service delivery systems, federal and state agency programs. The purpose of this Task Force is to recommend improvements in the planning, regulating and service functions at the regional and district level. Towards this purpose, I request the Task Force to:

- (1) Inventory the governmental system in Maine in terms of sub-state service areas and service functions. Because of their unique services the inventory may exclude school administrative districts, school unions and regional technical vocational centers, sewer and water districts and other primarily municipal activities.
- (2) Evaluate existing state and federal administrative districts, counties and regional planning commissions and recommend desirable structural and functional changes to minimize overlapping of areas of jurisdiction and duplication of functions.
- (3) Define as clearly as possible those functions that should be administered at the state, municipal or sub-state level.
- (4) Recommend procedures and institutions whereby sub-state district functions will be responsive and accountable to the citizens within their jurisdiction.
- (5) Recommend those changes in structure and appropriate legislation that are consistent with the dual goals of improving the quality of services and reducing the cost of delivery.
- (6) Provide full opportunity for representatives of the involved agencies, counties, districts and others to provide information and other contributions to the study.
- (7) Operate as a fully independent policy recommending body to which all involved state agencies will assist as requested.

Primary staff and support services for the Task Force will be provided by the Maine State Planning Office.

The Task Force shall make its final recommendations by November 15, 1978 and remain organized to assist with the implementation of its recommendations until June 30, 1979. As members of the Task Force will serve as volunteers, they will not be eligible for per diem but will receive reimbursement for their necessary travel related expenses.

*James B. Longley*

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## INTRODUCTION

Over a number of years State and Federal legislation and administrative actions have created substate districts to implement programs and deliver needed public services. The growth of substate districts has raised questions of accountability, has created general public confusion about government organization, and is of continuing concern to Maine residents. While attention has traditionally tended to focus on state and federal intrusion into local affairs, the growth of "substate organizations" has more recently been the subject of discussion. This issue is not unique to Maine. In 1975 the Council of State Governments, commented upon this problem in the following way:

Continuing population growth and rapid technological change during the second half of the twentieth century have produced major challenges to the structure of local government. Solutions to such problems as air and water pollution, outmoded transportation systems, and inadequate water and sewer facilities required a geographic base, administrative organization, and fiscal capacity that often surpassed those of individual counties and cities. Moreover, persistent jurisdictional fragmentation, resulting from reliance on special districts and the general failure to merge or modernize local governments, contributed to the inability of most local units to respond effectively to diverse areawide needs and problems.

These federal, state and local areawide efforts have occasionally coincided to produce a single body responsible for several functions. Usually, however, the wavering reliance of these governments on both single and multi-purpose regional agencies has contributed to a further fragmentation of the governance structure in both metropolitan and non-metropolitan areas. This ambivalence has resulted in overlapping boundaries, duplicating functions, and confusing responsibilities at the substate regional level.

Recently established areawide bodies are responsible basically for planning, communications, coordination and grant administration. Their activities may be confined to a single function or involve several areas. While many of these organizations have been successful in facilitating regional cooperation and communication, formulating comprehensive and functional plans, and coordinating development, they operate under severe constraints. Regional councils and substate districts are generally not able to bind their membership to decisions they make, implement the plans they prepare, deliver the public services they believe necessary, or raise the revenues they need to avoid heavy

dependence on federal funds. Furthermore, sometimes their policy board members are not accountable to the public.

As early as 1973, the United States Advisory Commission on Intergovernmental Relations observed the following relative to the emerging concept of a "regional community."

The uneven distribution of needs and resources in many areas makes the central city, suburb and rural community appear as physically and psychologically separate entities. Yet in terms of the economic, educational, cultural and recreational goods and services they provide, all three types of jurisdictions long ago lost their claim to independence. Advances in transportation and communications technology have blurred jurisdictional boundary lines. About 40 million people change their address annually, more than two million students cross State lines to go to college each fall, and several thousand senior citizens migrate to southern retirement communities in the winter and return to their northern or midwestern homes in the spring. One-fourth of the Nation's jobholders work in a county different from that in which they reside.

Most of the privately owned utilities that Americans consume - electricity, water, gas and telephone - are areawide services. Our favorite television and radio programs are typically transmitted from a regional station. The daily newspaper contains information about locality, region, State, Nation and the World. We belong to civic associations, professional and trade organizations, social clubs, and other groups that are organized on a multijurisdictional basis. When ill, we often are treated in a clinic or hospital that serves the metropolitan area. We spend our leisure time at civic centers, parks, sporting events, museums, symphony orchestras, zoos and other recreational and cultural facilities that frequently are regional in their finances, attendance and operation.

The need for interlocal approaches to providing major public services that transcend individual cities and counties also has diminished citizen expectations that a single unit of local government is capable of responding to most servicing needs, and that problems can be confined within jurisdictional borders. Growing recognition that the costs of crime, air and water pollution, traffic congestion, and other problems spill over individual local government boundaries has focused attention on the desirability and feasibility of multijurisdictional remedial action. The possibility of achieving economies of scale in the production of public goods and services has also served as a strong incentive for cooperation. Hence, some public services traditionally provided by individual local governments - such as police and fire protection, housing, education and libraries - have acquired regional components.

Substate districts are defined as *geographic subdivisions of the state which encompass two or more towns and were created by Federal, State or local governments to provide, plan, or administer one or more services or activities.* Examples in Maine include Human Services Administrative Districts, Unemployment Compensation Districts, regional health areas, and warden districts.

In response to the growing proliferation of districts, states have attempted to ameliorate the problem by creating "official" substate districts. While the nature of such districts varies across the country, they were largely created to: coordinate Federal and state action at the substate level; provide technical assistance to localities; develop regional plans for selected areawide problems (e.g., water and sewer, solid waste, housing, land use, recreation, etc.); and to oversee, monitor and coordinate the activities of other substate units which may be operating in their jurisdiction. The official districts were intended to be multi-purpose in nature and to provide a framework for evaluating and coordinating special purpose activities within their jurisdiction.

In the United States there are now some 530 official districts created by 45 states. At the national level about 95% of these official districts possess functioning areawide bodies and most receive some federal or state aid. But overlapping these recognized substate districts, in an uncoordinated fashion, are about 4,045 geographic areas and 1,800 special purpose substate planning organizations, all fostered by requirements under various federal programs.

As noted by ACIR in their report on Federalism in 1977:

Only about one-third of the 1,800 districts had boundaries which coincided with those of the substate districts officially designated by the states. In addition, the state-recognized planning organizations are used by federal programs only about one-sixth of the time. The Federal government, therefore, is responsible for encouraging the creation of a wide variety of new multi-county units,



although none of these bodies has the authority, accountability and political legitimacy comparable to a government. Only the states can create the framework for regional governance or general purpose regional governments, and they have done so reluctantly.

Rather than allowing the federal government to be the prime mover in regional governance, some states have begun to take the lead in eliminating the confusion and duplication created by federally encouraged or mandated substate planning and development programs. States which have done so have shown that a great deal can be done to coordinate the diverse federal aid programs and to strengthen the state-designated regional bodies. But there was almost no new meaningful state action last year to resolve the growing chaos in substate districting.

The following report represents an attempt by the State of Maine to develop actions to resolve the growing number of substate districts. As in the nation as a whole, the proliferation of such districts in Maine has continued in the late sixties and seventies even though in 1972 the state did create "official" planning and development districts. The Task Force on Regional and District Organizations, established by Governor Longley, was created to examine and recommend solutions to problems of a proliferating "hidden bureaucracy." No one group of individuals will find the solutions to all of the problems. However, with the advice and comments from Maine's residents, local officials and governmental institutions, it is hoped that Maine can lead the nation in attempting to resolve the issues of a burgeoning system of governmental entities. The information presented in this report does not represent the entire body of data collected and analyzed in the early stages of this effort. It is a synthesis of major issues and concepts which were reviewed by the Task Force.

## EXECUTIVE SUMMARY



## TASK FORCE PURPOSE

On October 17, 1977, Governor James B. Longley issued Executive Order #6 establishing a "Task Force on Regional and District Organizations." The Task Force was charged with five major responsibilities. These responsibilities were to:

1. *Inventory the substate service areas and functions in the state.*
2. *Evaluate existing state and federal administrative districts, counties and regional planning commissions and recommend desirable, structural and functional changes to minimize overlapping of areas of jurisdiction and duplication of functions.*
3. *Define as clearly as possible those functions that should be administered at the state, municipal or substate level.*
4. *Recommend procedures and institutions whereby substate district functions will be responsive and accountable to the citizens within their jurisdiction.*
5. *Recommend those changes in structure and appropriate legislation that are consistent with the dual goals of improving the quality of services and reducing the cost of delivery.*

To fulfill the purpose of the order, the Governor appointed 12 members to the Task Force. In the appointment process, it was decided not to include present representatives from state, local or regional agencies in order to reduce built in biases to the study effort, although the members do have previous experience or expertise in government. However, the order did mandate that all affected groups and the public have maximum opportunity to contribute to the study. Staff assistance was provided to the Task Force by the State Planning Office and all state agencies were directed to assist the Task Force as needed.

## TASK FORCE PROCEDURE

At the outset the Task Force decided that it needed considerable background information about the operations of existing substate districts. To meet this informational need, the Planning Office surveyed all state and known regional organizations regarding the nature, purpose, organizational and budgetary characteristics of each district. Further, previous national, state agency, legislative and individual studies pertaining to substate districts were provided to the Task Force.

In determining the best method for evaluating the substate district system in Maine, the Task Force decided that a functional approach would be utilized. In other words, organizations with similar purposes were grouped together in order to better examine interdepartmental program relations (among agencies), and inter-jurisdictional relations (among levels of government). Six major areas were targeted for close analysis:

1. Natural Resources
2. Human Services
3. Community and Economic Development
4. Public Safety
5. General Government
6. Multi-Purpose Organizations

While the sixth category is not a true functional category, it was determined that such organizations as counties, regional planning commissions and economic development type districts should be reviewed not only as they relate to each functional area but also as separate, multi-functional entities. Each Federal, State and regional agency which administered, planned, or provided direct services at the substate level was then assigned to its appropriate functional area (e.g., Natural Resources includes such agencies as the State Departments of Conservation, Agriculture, Environmental

Protection, Inland Fisheries and Wildlife, Marine Resources and the U.S. Department of Agriculture's Soil and Water Conservation, Resource Conservation and Development, Watershed Projects, etc.). See Table "Substate Activity by Major Functional Area", contained in the Appendix, for a complete listing of the agencies and their respective functional areas.

### RECOMMENDATIONS

In examining the proliferation of substate districts in Maine, it is important to keep in mind the Federal and State legislative initiatives to coordinate the formation of substate districts. It is important to recognize the fact that most districts were created to address specific needs and voids not filled by the existing governmental system. Whether generated by Federal or State initiative, district formation is often based upon the need to deliver services and administer programs more effectively, achieve cost-savings and to fill voids in the governmental institutional framework for service delivery or administration. Therefore, when a given service need was identified and no current level of government was organized or authorized to provide that service, it was often easier to create a special district than to change legislative mandates. Recognizing this problem, two courses of action were possible; (1) try to develop a coordinated system of substate districts, or (2) change legislative authority and reorganize the current structure of government. To date, the first alternative has been most frequently pursued. This course of action, as observed in the inventory process, has had only limited success. The second alternative is embodied in the current Executive Order which established the Task Force on Regional and District Organizations. This approach is generally the most difficult to implement and the most controversial. Given the complexity and the importance of the substate district issue, it is reaching a point where

major institutional reform may be the only means to reorient the structure of government to meet the needs of our residents in a more effective and accountable fashion.

The Task Force has developed three recommendations and one guideline. These include:

- A. Reorganizing County Government;
- B. Redefining Planning, Development and State Administrative District Boundaries;
- C. Recommending the Development of State Service Centers;
- D. Guidelines to the Assignment of Government Functions.

The first recommendation calls for the restructuring of County Government to increase their accountability, improve their management capabilities, and to allow them to approve their own budgets. While there are no new substate functions mandatorily assigned to Counties, the Task Force feels that the Counties could serve as the vehicle to decrease the hundreds of districts operating in the State. However, new functions should only be assigned to Counties if so voted by municipalities or authorized by Federal or State statute. It is further recommended that each County be mandated to form a Charter Commission in order to propose, for referendum, the details of their County structure within the scope of options permitted under the remaining Task Force recommendations.

In terms of planning and administrative districts, the Task Force has proposed a draft executive order which would: align these districts with County boundaries; mandate state conformity to official districts; provide for local review of any state actions contrary to the order; and permit multi-county districts when so approved by local and county officials. There is no mandated change in the current regional planning system. Any such changes would only occur through local action as is now authorized by state law.

In order to increase the state service delivery system, the Task Force recommends that state agency field offices be collocated with each other and, where possible, with other governmental agencies. One stop centers could increase services to the public while at the same time reducing overall state agency operating costs.

Finally, the Task Force was mandated to define those government functions which should be administered at the state, municipal and substate level. A chart has been developed which shows desirable assignments of functions (e.g., police, fire, solid waste, planning, etc.) by levels of government. This chart is flexible and is meant only as a guide to state, local and county and related officials.

#### REPORT FORMAT

This report is divided into three major sections. The first section, Substate Districts in Maine, describes the types, numbers and characteristics of government districts. Agency summaries are presented in six general areas including Natural Resources, Human Services, Community and Economic Development, Public Safety, General Government and Multi-Purpose Districts.

The second major section, Task Force Conclusions and Recommendations, describes the rationale for the recommendations and details the specific components of the proposals.

The final section, Summary of Public Hearings and Surveys, describes the testimony heard by the Task Force at its 16 public hearings. Tabulations of the survey contained in the preliminary Task Force report are also presented. Finally, the Appendix contains a chart which details the specific features of the substate districts operating in Maine.





## SUBSTATE DISTRICTS IN MAINE



## A. DISTRICTS CHARACTERISTICS

During the inventory phase of this effort, several general categories of concern were identified. These included the need to know the types of districts operating in Maine, the authorization of substate districts and their accountability to the parent organization and the public, the composition of agency budgets, functions and services provided by the districts, and the number of regions and the nature of substate boundaries. It was found that almost every state agency has created substate districts and several Federal agencies utilize districts below the state level in Maine.

### District Types

Substate districts fall into the following generic categories:

1. Those created by a state agency for their own administrative purposes, e.g., Lottery Commission, Oil Conveyance Division, Environmental Protection; Wildlife Management Areas, Inland Fisheries and Wildlife.
2. Those created by a state agency to administer Federal programs (may or may not be required by federal statute), e.g., Mental Health Catchment Areas, Mental Health and Corrections; Employment Security Commission, Manpower Affairs; Criminal Justice Planning and Assistance Agency; Maine Health Systems Agency.
3. Those created by a Federal agency to administer a federal program, e.g., Farmers Home Administration, USDA.
4. Multi-purpose districts (may or may not have been created by a state agency) which administer one or more programs, state or Federal, and have one or more funding sources, e.g. counties, councils of governments, regional planning commissions, community action agencies.

5. Special purpose districts created to address a special/specific need, e.g., Cobbossee Watershed District, Saco River Corridor Commission.

#### Authorization and Accountability

Some districts have been specifically created by statute, but a substantial number have been created by agency administrative action. *The statutory authorizations, in most instances, do not delineate boundaries, but merely grant the agency the authority to establish substate districts.* In both cases, statutorily authorized or administratively determined, it would appear that legislative action would usually not be required to redefine most district boundaries.

In most cases, the district is accountable to a parent agency, either Federal, state or local. The parent agency is responsible for policy-making with advice from the districts. The district agencies are primarily responsible for the implementation of policy directives, the delivery of services, and for the collection of information for policy making purposes at the state or federal level. They are not agencies with general powers of government. Some districts are for planning or management purposes only. However, the Task Force is concerned over the large number of quasi-public organizations which are not clearly accountable to a parent organization or the electorate.

Many districts have advisory boards with some basis in statute. Composition varies with the nature of the districts. Membership can include commissioners of relevant state agencies, district supervisors, elected officials, interest groups and private citizens. The number of members on advisory boards ranges from three to over thirty.

### Funding

Sources of revenue include Federal, state, local and dedicated sources. A large number of districts receive both state and federal funds and several districts receive funding from more than one state or federal agency. Few districts have as their primary source of revenue locally generated funds and *Federal funding is the largest single resource for the districts in Maine.*

### Functions and Services

The districts directly accountable to a state agency usually administer the programs of its parent agency and no others. Exceptions to the above are the regional planning commissions, community action agencies and economic development districts that have local membership, but often contract for state and federal funds. In most instances, districts are created for a single purpose. Confusion arises when more than one district in a comparable geographic area provides services in the same or related functional area, or where there are intra-agency conflicting boundaries. For example, in the functional area of human services, there exists a Mental Health Catchment Area, a Department of Human Services administrative region, a Community Action Agency, a Regional Planning Commission, a county - all of which have some responsibility for human service functions in the same geographic area. *In most cases, services are not duplicated, they simply are fragmented among a variety of agencies.*

### Regions and Boundaries

The number of substate districts administered by any single agency (Federal or State) ranges from one to 44. While most districts have regional offices, the total number of such offices is not always directly related to the number of districts.

In terms of the nature of the district boundaries, several important features should be noted. The first is that *with few exceptions substate boundaries do not follow the official Planning and Development Districts created in 1972.* Those districts largely adhering to county boundaries tend to fall mainly in the human service area, such as CAP agencies, public service functions and mental health programs. Finally, the town boundaries are almost never violated in terms of substate areas. The only exceptions are found in wildlife, watershed and other natural resource management areas.

In the Task Force's preliminary analysis a total of 495 functional substate districts have been identified. The final inventory contains in excess of 500 functional districts. The few remaining areas are largely special purpose in nature and have no direct ties to state agencies; e.g., Maine Health System Agency, rural health clinics.

#### B. FUNCTIONAL AREA DISTRICTS

The following is a brief summary of the number and types of districts operating in each broad functional category.

##### Natural Resources

Eight agencies, both Federal and State, are involved in the natural resource function. These agencies operate 23 sets of substate districts totalling 170 units for a variety of purposes. These include administrative and planning or management units which are not responsible for the actual delivery of services. Other districts have regional offices and engage in the actual delivery of services. There are inter-agency boundary conflicts within this functional area.

The Department of Conservation has one type of substate districts to which they recommend that each bureau within the department adhere. These Conservation Regions divide the state into four geographic areas that do not follow county or RPC boundaries. Some bureaus, such as Parks and Forestry use these regions with further subdivision for their own purposes. Other bureaus, such as LURC and Entomology, because of unique concerns do not follow the Conservation Regions boundaries.

The authorization for these districts within the Department of Conservation varies; some are based in statute, some are created by administrative action reinforced by executive order, and others solely by administrative action. Two districts, the Allagash Wilderness Waterway, which is one of the Park Regions, and the Land Use Regulation Commission, which is responsible for the unorganized townships, have advisory groups.

The Department of Environmental Protection operates 7 types of districts including Ambient Air Quality Control Regions, Oil Conveyance Field Offices, Land Bureau Enforcement Districts and Water Quality Planning Districts. In the case of the Water Quality Planning Districts, these districts follow regional planning commission boundaries. Only the Water Quality Planning Districts and the Solid Waste Management Districts have an advisory group. Two of the seven types of districts have some basis in statute.

The Department of Inland Fisheries and Wildlife has two types of districts: Administrative Regions and Management Units. Because of unique concerns, neither follow county or RPC boundaries. Both have advisory groups.

The State Soil and Water Conservation Commission is responsible for Soil and Water Conservation Districts which follow county boundaries except for a deviation in Aroostook County. An advisory committee exists for these



districts. USDA Soil Conservation Service which works closely with the State Soil and Water Conservation Commission follow these boundaries exactly and its programs are implemented by the state agency. Two types of substate districts, in addition to the Soil and Water Conservation Districts, are used by the USDA. These districts do not follow county or RPC boundaries. Both of these districts have advisory groups.

The Department of Marine Resources has four Coastal Warden Regions which are further subdivided into 6 to 12 districts within each region. The boundaries of these regions may shift depending on agency needs and concerns. These regions implement department rules and regulations. An advisory council exists.

The State Planning Office groups municipalities and townships into thirteen coastal areas for planning, mapping and data collection purposes. These districts were created under the Federal Coastal Zone Management Program and are authorized by Federal statute. An advisory group, authorized by executive order, aids in policy making concerning coastal land use. The geographic coverage of these districts is limited to the coastal region of the state, and no separate agency is specifically organized for these coastal areas.

The Regional Planning Commissions, in addition to present EPA 208 Water Quality Planning activities, also have A-95 Review authority for all federally assisted development or planning activity related to natural resources. The non-metropolitan RPC's, under review of the State Planning Office, are responsible for the HUD Land Use and Housing Element. The metropolitan RPC's report directly to HUD for the same program. Other natural resource functions vary with each planning commission. All RPC's have Boards of Directors.

Two other areawide organizations exist which have responsibilities in the natural resource functional area. These are Saco River Corridor Commission and Cobbossee Watershed District. These two organizations are based in statute, have governing boards, and are directly accountable to the municipalities they serve.

At the municipal level there exist planning boards, zoning boards, conservation commissions, shoreland zoning committees, recreation committees - all of which have an impact in the natural resource functional area.

#### Human Services

The organizations in this category include the Department of Mental Health and Corrections, Department of Human Services and the Division of Community Services. Within the Department of Mental Health and Corrections, there are three types of districts: Mental Health Catchment Areas (8 Districts); Mental Retardation Areas (6 Districts); and Parole and Probation Areas (4 Districts). The boundaries of the three types of districts vary. Only Probation and Parole does not have an advisory board. The Mental Health Catchment Areas are the only districts lacking specific legislative authorization. The Federal government is required to approve the Catchment Area designations. These community mental health centers are non-profit organizations under contract to the Bureau of Mental Health while the other two districts are administrative arms of the state agency.

The Department of Human Services operates 5 districts. These districts were administratively created to implement programs designed at the central office (e.g., AFDC, Food Stamps, Work Incentive Program, Public Health Nursing, Information and Referral, Foster Homes). While advice on policy is provided by the districts, basic program designs occur at the State level. There are no district advisory boards. Counties are aggregated to form the district boundaries.

The Bureau of Health Planning aggregates 42 Hospital Service Areas to Regional Planning Commissions and Health Planning Districts for data collection and planning purposes. The districts were created by agency administrative action. An advisory group is authorized by Federal Statute. In addition to the Bureau of Health Planning, there is the Maine Health Systems Agency, a private non-profit organization, that is federally mandated. The Health Systems Agency has also designated five districts for its planning purposes.

The Division of Community Services provides (via the Community Services Administration) funds to the 12 Community Action Program agencies. These agencies, based largely upon County boundaries, are governed by a board of directors with considerable decision-making authority. CAP agencies are private, non-profit corporations. The CAP agencies are multi-purpose organizations with services in day care, home repairs, winterization, health, youth services, family planning, nutrition, senior citizens and other related human resource activities.

The three human service related agencies operate or participate in 8 separate types of districts with a total of 84 substate units.

In addition to state operated programs, there also exist at the district level human service programs which are contracted to various non-profit organizations which may or may not have districts of their own. The financing of these programs is largely through federal funds and the contracting agent may be towns, county, State or Federal governments. Many millions of dollars are involved with the delivery of contractual services.

At the local level there exist the general assistance programs, which are administered by municipalities and partially reimbursed by the State.

### Community and Economic Development

Those agencies providing economic and community development services include the State Departments of Manpower Affairs, Transportation, the State Planning Office, the Federal Economic Development Administration, Cooperative Extension Service and Farmers Home Administration.

The Federal government has statutorily authorized three of the districts used by the Department of Manpower Affairs: Job Service Districts, Work Incentive Program Districts, and Unemployment Compensation Districts. The State has authorized the Job Service Districts and Unemployment Compensation Districts. Although the three types of districts do not have the same boundaries, the same field offices are used whenever possible. Advisory committees exist for these districts which have limited discretionary authority and are accountable to the department. Their primary responsibility is the implementation of a specific program.

A fourth set of districts, Labor Market Areas, was created by State agency action with Federal approval. These districts are primarily used for economic analysis and employment statistical purposes. Boundaries were drawn primarily to meet federal requirements and to trigger federal funds. They do not follow county or RPC boundaries. An advisory group, the Maine Occupational Information Coordinating Committee, exists to implement the common needs for the planning for, and the operation of the occupational information and training programs for the State.

The Department of Transportation has State Maintenance Districts and Urbanized Area Transportation Study Areas. There are seven State Maintenance Districts which do not follow county or RPC boundaries, and are a result of administrative action. The districts are accountable to the department and perform basically "housekeeping" functions, i.e., maintenance and repair of roadways. An advisory group as such does not exist. The

Urbanized Area Transportation Study Areas, of which there are two, are a shared responsibility between DOT and the respective Metropolitan Planning Agency (RPC/COG) in accordance with Federal and State requirements. An advisory group is required by Federal legislation.

The State Planning Office works with the non-metropolitan regional planning commissions to develop and implement HUD's Housing and Land Use Elements. HUD issues the requirements of the program and the Planning Office administers the funding and reviews the progress of each RPC through third party contact. The metropolitan RPCs contract directly with HUD. The Planning Office also administers State funds to the RPC's for local technical assistance. Each RPC has its own advisory group and Federal administrative requirements stipulate an advisory group made up of all the RPC's. In addition, the SPO works with the RPC's in the allocation of EDA funds within their respective region.

The U.S. Economic Development Administration funds three Economic Development Districts within the State for economic development planning activity. Two of the districts are RPCs, the third an aggregation of counties. These districts are accountable to EDA for program performance and to a local advisory committee structure. Authorization for the districts is by Federal statute. The geographic coverage of the three districts does not encompass the entire State.

The Cooperative Extension Service is a joint program with the USDA and the University of Maine at Orono participating. Cooperative Extension Service Districts are based on county lines or an aggregation of counties. Authorized by federal statute, these districts have a great deal of discretionary authority, as well as individual executive committees. Programs administered at the district level fall into four broad categories: 1) community development; 2) agriculture and natural resources; 3) 4-H; and, 4) home economics.

The Farmers Home Administration uses 4 districts, which are an aggregation of counties, to implement its housing, community facilities and industrial loan and grant programs. These districts are further broken down into county offices. Each district is accountable to the State Office. Discretionary authority is dependent on the type of loan processed. Authorization for the districts is through Federal statute; no advisory group exists.

#### Public Safety

Agencies in this functional area include Maine Criminal Justice and Assistance Agency (7 Districts); Superior Court (16 Districts); District Courts (13 Districts and 33 Divisions); Maine Department of Public Safety (8 Districts); and the Bureau of Emergency and Civil Preparedness (16 Districts). County Sheriffs Departments also have a role in the public safety function.

With only one exception, the Maine Criminal Justice and Assistance Agency areas are based upon aggregates of Planning and Development District boundaries. Each district has a citizen advisory group and is responsible for preparing regional criminal justice and delinquency prevention plans as well as administering subgrants within the district. Most of the district offices are operated out of regional planning commissions.

The Superior Court uses the 16 counties as its service area and is the trial court of the state. The 13 District Court boundaries closely follow counties and serve as the court of limited jurisdiction for the state.

The State Police operates 8 troop headquarters. Daily operational decisions are made in these districts but all are responsible to General Headquarters in Augusta.

Finally, the Bureau of Civil and Emergency Preparedness operates 16 county districts. County directors are responsible for preparing plans to meet emergency and disaster situations.

#### General Government

This section of the inventory describes those agencies whose services do not fit the previously covered functional breakdowns. The agencies include the Maine State Lottery Commission and the Secretary of State, Motor Vehicle Division.

The Maine State Lottery Commission maintains two districts for administrative purposes and which report directly to the Commission. Authorization for these districts is Federal and State statute. The district boundaries are an aggregation of counties.

The Motor Vehicle Division operates eleven branch offices which implement the Division's programs and services. Since branch offices do not have geographic jurisdictions, their clientele use the nearest office. The field offices have discretionary authority to the maximum extent possible.

Also included in this category are Electoral Districts such as Congressional Districts, Senatorial Districts and House Districts. The boundaries of these districts are based on population. The U.S. Bureau of the Census authorizes Congressional Districts, whereas the State Legislature authorizes Senatorial and House Districts. The primary rationale for Electoral Districts is to ensure equal representation of citizens in the legislative systems, based on the one man, one vote principle. Senatorial and House Districts follow Census enumeration boundaries and may cross county or municipal lines.

### Multi-Purpose Districts

This section deals with those districts which are accountable to one or more State or Federal agencies; receive funding from more than one source; and administer one or more Federal or State programs. Multi-purpose districts include Regional Planning Commissions, Community Action Agencies, and County Governments. Community Action Agencies are noted in the Human Services summary.

### Regional Commissions

Each regional planning commission has an executive board made up of representatives of voluntary member municipalities. The executive boards oversee the direction of the regional planning commissions and approve major policy studies. Special advisory committees may be created to deal with single issues. Councils of government, of which there is one in Maine, have the same functions and responsibilities as a regional planning commission, as well as additional powers. The council may, by appropriate action of the governing bodies of the member municipalities, exercise such powers as are exercised or capable of being exercised separately or jointly, by the member governments. Thus, a council of governments, when authorized, may act as a unit of local government.

The role of the regional planning commissions has traditionally been in the planning aspect of each functional category. The regional planning commissions are generally not service delivery agencies, but rather planning and policy recommending bodies. Technical assistance to member municipalities is provided from Federal, State and local revenue sources. The RPCs operate a wide variety of programs including HUD 701 housing and land use planning, EPA Water Quality 208 planning, criminal justice and human service planning (in selected RPCs), coastal zone management (selected), transportation planning (selected), solid waste and



a variety of other related activities. While most regional commissions existed prior to the 1972 Planning and Development District Executive Order, the coordination of Federal programs under A-95 was an important component in the establishment of the RPCs. It is also important to keep in mind the RPCs are voluntary organizations of municipal creation and their existence is not mandated by state law. Also, the RPCs are not generally implementing agencies but rather act in an advisory capacity to local, state, federal and other regional agencies.

### Counties

A large portion of county appropriations are for the law enforcement function, i.e., District and Superior Courts, District Attorneys, County Jails, County Sheriffs, as well as Register of Deeds, Register of Probate, Civil Emergency Preparedness, County Building, County Treasurer and the County Commissioners.

The exact scope of activities of counties in the human services function is difficult to determine. Many of the counties undertake the provision of human service functions by contracting with or making appropriations to non-profit organizations that can actually provide the necessary services. Some services, may be provided directly through the county. Programs which are offered through or financed by the counties vary widely across the State. Line item extracts from the county budgets provide some idea of the scope of county involvement in multiple functional activities.

In addition, counties receive federal monies to implement the CETA program. Allocation by county for CETA FY 78, Titles I, II and VI are included in the inventory of substate districts.

The geographic boundaries of county governments are mandated by State law. The major functional responsibilities of county governments are generally assigned on an individual county basis by action of the State Legislature. The Legislature also approves county budgets. The governing body of each county consists of three elected county commissioners, whose responsibilities include preparation of the budget, overseeing the expenditure of revenues, and administration of county government activities.

### C. DISTRICT SUMMARY

It is obvious that the majority of substate districts in Maine do not coincide with the official Planning and Development Districts. *The eight planning and development districts, adopted in 1972, were created in order to prevent the growth of district organizations and to provide a sense of order in what, at that time, appeared to be a trend where substate activity would soon spiral out of control.* It is worth noting the rationale for the eight district designation since it is still these official districts which the Federal government, in principle, feels should form the foundation for the myriad of Federally funded programs. In partial response to a 1969 OMB Circular calling for greater Federal coordination at the substate district level, Governor Curtis issued Executive Order No. 6 in January of 1972. The Order, issued to establish a uniform system of Planning and Development districts, was issued pursuant to Title 30, Chapter 239, Sections 4501-4503 of the M.R.S.A. The general directions used in delineating the district boundaries were as follows:

1. Districts should be made large so as to encompass as many state and federal programs as possible, but small enough in geographic size to permit travel from peripheries of the district to the district's service center within a desired one hour's driving time.

2. Each district should have a population base sufficient to finance an adequate regional planning and development technical staff. A 100,000 population base was considered sufficient for adequate financial local support based on present local support experience of regional planning commissions augmented by Federal and State grants.
3. The Districts should cover the entire State. Each district should include organized and unorganized territory. Districts should also be balanced in regard to real estate valuation and population and urban and rural population.
4. In no instance should a district boundary cut through a local governing unit. (Not applicable to counties or unorganized towns or plantations.)
5. Districts should encompass total economic, environmental and human resource areas where possible.

While unable to fully adhere to all of the above criteria, the following Executive Order was issued in 1972:

AN ORDER ESTABLISHING A SYSTEM OF PLANNING AND DEVELOPMENT DISTRICTS  
FOR THE PURPOSE OF ENCOURAGING FEDERAL, STATE AND LOCAL COMPREHENSIVE  
PLANNING AND COORDINATED DEVELOPMENT.

WHEREAS, it is the policy of this administration to encourage the development of a planning and development system in which Federal, State and local interests work together in the proper planning and development of the State as authorized by existing provisions of the law, and

WHEREAS, the Act Relating to Regional Planning and the Establishment of Regional Councils of Governments as codified in Title 30, Chapter 239, Sections 4501-4503, Maine Revised Statutes Annotated, authorizes the Governor to designate regional planning and development districts, and

WHEREAS, the Governor through the State Planning Office has obtained information from the State departments, regional planning commissions and other affected or interested agencies or parties concerning the delineation of district boundaries, and

WHEREAS, the Federal Government, in its efforts to improve inter-governmental relations, has been recently requiring the use, insofar as possible, of coterminous boundaries for planning the various federally assisted programs within the states, and

WHEREAS, it is deemed desirable to establish and preserve the eligibility of State agencies, Regional Planning Commissions and local governments to participate in the Federal assistance programs and any others that may be instituted from time to time, and also to provide a framework of organization which will eliminate duplication and confusion, and

WHEREAS, the State Planning Office has delineated eight proposed planning and development districts reflecting physical, economic and human resources relationships encompassing the entire area of Maine,

NOW, THEREFORE, I, KENNETH M. CURTIS, Governor of the State of Maine, by virtue of the authority vested in me, do hereby order and direct that the said Districts, as delineated by the State Planning Office, be and hereby are officially established for the aforesaid purposes, and direct that all State agencies within the Executive Branch of government shall take the regional alignment into consideration in the establishment and revision of all applicable regional state programs.

In addition, any Regional Planning Commission, local government unit or other interested agency or individual may submit recommendations on the feasibility of these districts to the Director of the State Planning Office. Such recommendations shall be considered in any recommendations for alternative regional boundaries.

Accordingly, the eight planning and development districts as now constituted are shown on the attached map, and as regions may be changed from time to time by the Governor of Maine.

As shown on this map, the following planning commissions will operate in these respective planning jurisdictions:

Regional Planning CommissionPlanning Jurisdiction

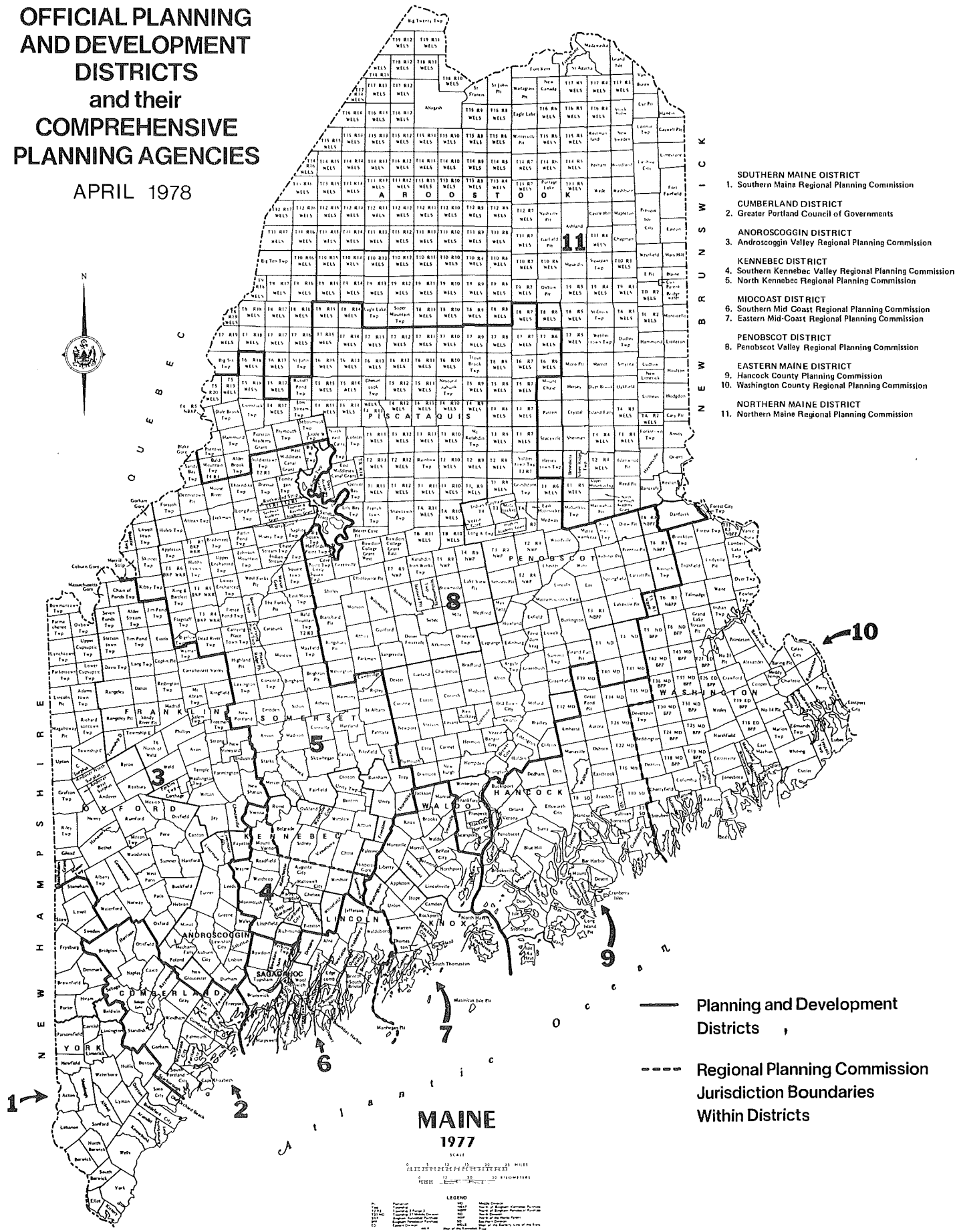
- |   |   |
|---|---|
| 1. York County (Now the Southern Maine RPC)         | Southern Maine District                             |
| 2. Greater Portland Council of Governments          | Cumberland District                                 |
| 3. Androscoggin Valley                              | Androscoggin District                               |
| 4A. Southern Kennebec Valley                        | Southern part of the Kennebec District              |
| 4B. North Kennebec                                  | Northern part of the Kennebec District              |
| 5A. Bath-Brunswick (Now the Southern Mid Coast RPC) | Southern part of Mid-Coastal District               |
| 5B. Knox County (Now the Eastern Mid-Coast RPC)     | Eastern Section of Mid-Coastal District             |
| 6. Penobscot Valley                                 | Penobscot District                                  |
| 7A. Hancock County                                  | Hancock County section of Eastern Maine District    |
| 7B. Washington County                               | Washington County section of Eastern Maine District |
| 8. Northern Maine                                   | Northern Maine District                             |

It is important to note that the order issued in 1972, as well as the Federal guidelines promulgated in 1969, were based upon voluntary compliance. Given the general lack of compliance with these guidelines, as observed by the proliferation of substate districts, it would appear that stronger action is in order.

NOTE: This order created 8 districts to be serviced by 11 regional planning commissions as noted on the adjacent map.

# OFFICIAL PLANNING AND DEVELOPMENT DISTRICTS and their COMPREHENSIVE PLANNING AGENCIES

APRIL 1978





TASK FORCE CONCLUSIONS  
AND RECOMMENDATIONS





## A. TASK FORCE CONCLUSIONS

Based upon the review of informational material, public comments and reactions at the public hearings, written testimony, and surveys the Task Force has developed three basic recommendations aimed at addressing the substate district issue. These recommendations deal with: 1) County Government Reorganization; 2) The Revision of State Planning and Development Districts; and, 3) The Development of State Multi-Purpose Service Centers. A fourth recommendation concerns the assignment of governmental functions. However, the recommended assignments are meant to be a guide and are not to be considered mandatory. Before detailing these proposals, the Task Force feels it essential that the public understand the underlying philosophy which has guided the development of these proposals. A better understanding of the issues involved and how we reached our conclusions should help in putting the recommendations into a proper perspective.

The Task Force believes that *to achieve accountability citizens must have a genuine opportunity to participate in and affect the decision-making processes at all levels of government*. It is easy to state this principle but it is difficult to achieve it. Certainly, Maine has a tradition of accountable government. The town meetings and our representative form of state government have permitted public access to our decision making processes.

As our society and government have grown more complex, so has the means of achieving accountability proven more complex. Many methods have been devised to achieve "accountability" and public participation. Approaches frequently utilized to achieve accountability include: the creation of policy boards made up of a "cross section" of the population; policy boards comprised of members appointed by elected officials; boards comprised of elected officials; the utilization of public hearings, forums or review

sessions for program development; the use of survey or polls; the use of advisory boards or panels; passage of "right-to-know" laws and an array of additional techniques or combinations of the ones just cited.

The further we move from "representative" government to administrative government, the greater the obstacles to accountability. Certainly, given the complexities of our society and its related problems, we do not expect everyone to participate in all issues. The concern, however, is whether or not we have reached a point in our history where the public simply cannot or will not insist on their right to govern themselves or on the right to vote for representatives whose policy decisions affect our daily lives. Are the problems too big and too complex for the individual? Some would say they are, but the Task Force disagrees.

The Task Force believes that the burgeoning governmental and quasi-governmental entities tend to obscure why and for whom they were created. We, the public, have allowed the growth and proliferation of literally hundreds of substate organizations which spend millions of taxpayers dollars. As problems have arisen, we have leaned towards creating additional organizations to address those problems. Each problem led to a new unit, and each unit has further removed us from our representative form of government. The prevailing pattern has been to create an agency, give it a staff, and require public hearings which few people actually attend. We have created so many agencies that we do not even know where or what they all are. In our haste to find solutions to substate issues, we have neglected to make existing organizations accountable and have come to rely upon administrative agencies or private organizations for policy development. This decision-making authority was not usurped, we simply abrogated our responsibilities.

In any given county of the State there are at least 20-30 separate areawide organizations established to perform different functions. Some of

these substate organizations were created by local governments; some by state agencies; others by Federal mandate; and still more by private action. Those who argue that the Task Force should not promote or create regionalism have failed to recognize that regionalism already exists. Those who argue for accountability and home rule against State control fail to recognize, perhaps unknowingly, that they have lost control of these many substate entities. We do not have regional government, we have regional organizations. The Task Force believes that most of these organizations should be a part of or responsible to a representative government because we feel this is the only way we will regain accountability. To the degree possible, functions and structure should not be imposed. The "public" should determine how it wants to be governed and what programs it wants to support. The growth in regional agencies has not resulted from a master plan to subvert local autonomy. It has arisen because the problems of our environment, social services, housing, economic development, transportation and other necessities frequently transcend municipal boundaries. To the Task Force, therefore, the issue is not whether we need regional agencies, but rather whether we try to make this system accountable, or whether we simply continue to lose control of the agencies we continue to create.

In developing our final recommendations, we have reached a number of conclusions and have adopted several premises. Simply stated, these are as follows:

1. *It should be emphasized that the Task Force feels that the primary goal in substate reform is to achieve greater agency accountability.*
2. *There is a legitimate need for most regional functions. There are some activities which transcend towns but which are not of statewide concern.*

3. While there is little duplication among regional agencies, their activities tend to be uncoordinated or fragmented, and many lack direct public accountability.
4. The number of regional organizations and overall system costs can be reduced if we are willing to support basic governmental reform. To achieve this end, however, agency operations must be placed within or responsible to units of government which are accountable to the public.
5. No single boundary or district is ideal in terms of meeting all program needs. However, significant opportunities exist to reduce the number and types of districts. Even though the State does not have authority over Federal agencies, we feel that State development of criteria for a consistent set of districts will eventually lead to greater Federal conformance with State policy.
6. Those officials who are responsible for setting public policy, as opposed to administering policies, should be elected by the public.
7. As no single district can meet all program needs, neither will any single structure of government meet all of the public's needs. The State should remove any barriers which prevent the creation, through public action, of a more coordinated and accountable system of mid-level government. Under Criteria established by the State Legislature, each county should be allowed to determine how mid-level government is to be organized and what specific programs it should operate.
8. While we feel that there are certain functions which are best operated at mid-level government, each region should determine, within the limit of state and federal law, whether it wishes to assign these functions to mid-level government.

9. *Counties are a logical choice as the geographic unit for mid-level government. They are well known to residents, have a tradition of elected officials, and have experience in governmental programs. However, their present structure is archaic and not presently capable of performing new functions. County government should be assigned new functions only if reorganized and made more accountable.*
10. *To the greatest extent possible, the state should provide its services close to the public. To be more accessible to the public, state agency field offices should be located with or near other governmental agencies.*

The Task Force has been consistently told that our present system of government is too complex, fragmented and isolated from the people. The growth of programs and agencies has resulted in general public confusion. The system can be simplified and made more accountable. We hope that the Task Force recommendations will permit and encourage the opportunity for such governmental changes. Such reforms can be achieved only by public action and not by mandate. It will be through the desire and willingness of the people to assume their rightful responsibilities that we can address the increasingly complex issues facing the State of Maine.

#### The Cost of Reform

While the Task Force fully recognizes the increased cost of operating a reorganized county government we believe that we have the opportunity to reduce the overall costs of delivering public services, slow the rate of growth in some costs, and increase accountability and efficiency. Savings could be realized by reducing the number of substate organizations, consolidating substate program administration, sharing staff, reducing operating costs, consolidating office spaces, and by reducing the expenditures required to coordinate activities among so many agencies.

Reorganizing the structure of county government will result in some increased administrative costs. Public hearings cost money; adequate representation costs money; the employment of professionally competent administrators cost money. But the Task Force believes that an accountable form of government is well worth this investment. Only through the public's ability to participate in and affect the outcome of governmental decisions can we hope to control the growth in government spending.

While we do not propose that substate functions be mandatorily placed in county government, we do recommend that the opportunity be provided through public action, for the county to serve as the vehicle to coordinate and reduce the number of substate organizations. Through the gradual evolution in the change of this mid-level governmental structure we can achieve genuine reforms acceptable to Maine's citizens.

#### Meeting the Executive Order Mandates

The Task Force feels that if our recommendations are implemented, we will have provided the opportunity for major improvements in the delivery of substate services. Relating to the specific requirements of the Executive Order establishing the Task Force, the following excerpts quote specific charges to the Task Force. These are followed by a brief description of how those mandates have been met.

- (1) *Evaluate existing state and federal administrative districts, counties and regional planning commissions and recommend desirable structural and functional changes to minimize overlapping of areas of jurisdiction and duplication of functions.*

As previously noted, we found little duplication of activities but we did find extensive fragmentation of services and functions. The "Inventory of Substate Districts" published in March of this year identified the array of districts which exist in the State. The Task Force evaluated

these districts through the development of issue papers, interviews with agency officials and comments received through our surveys and public hearings. As a result of this evaluation process, we have recommended an opportunity and a mechanism for structural changes in county government and in the organization of planning and development districts.

- (2) *Define as clearly as possible those functions that should be administered at the state, municipal, or sub-state level.*

Contained in the recommendations is a table which indicates at what levels of government services should be performed. The table is only meant to be a guide and should not be viewed as mandatory.

- (3) *Recommend procedures and institutions whereby sub-state district functions will be responsive and accountable to the citizens within their jurisdiction.*

In our recommendation to reorganize county government, we have increased the accountability of mid-level government. In our view, a system which is more accountable can be more responsive if citizens choose to exercise their right to participate in governmental decision-making. Further, public confusion resulting from the sheer numbers of substate organizations can be reduced by simplifying the number of varying district boundaries and areas of coverage. The proposed executive order which requires more mandatory conformance to official state districts, based upon county lines, will assist in making the substate system less complex and more visible. The use of coterminous boundaries will remove barriers to the assignment of substate functions to an accountable unit of government. We, therefore, feel that we have proposed a substate system which will be more representative; which will be capable of administering substate programs which are now highly fragmented; and, which will require greater state and, to the extent possible, federal conformance to a single set of officially recognized districts.



- (4) *Recommend those changes in structure and appropriate legislation that are consistent with the dual goals of improving the quality of services and reducing the cost of delivery.*

We feel that our proposed outline for county reorganization and the draft Executive Order on the revision of planning and development districts meet the basic intent of this requirement. We cannot guarantee a reduction in costs. That will depend on electoral decisions about public responsibilities and programs and the skill of elected and appointed officials in improving efficiency. There will probably be short-term increases in costs associated with structural changes in mid-level governments, but in the long run we believe these changes will improve efficiency and reduce unnecessary expenditures. *We further believe that the quality of services will improve if the organizations operating programs are more accountable to those served.*

Procedurally, the Governor required that the Task Force "provide full opportunity for representatives of the involved agencies, counties, districts and others to provide information and other contributions to the study." In the process of developing its recommendations the Task Force has done the following to meet this specific requirement.

1. Met with over 150 agency officials regarding the operations of their programs;
2. Sent issue papers to over 400 individuals to seek reactions to the Task Force's deliberations;
3. Distributed 1,500 copies of the July preliminary report including mailings to all towns, counties, affected agencies and interested citizens;

4. Held a public hearing on the preliminary report in each of the sixteen counties. These hearings attracted over 320 interested individuals;
5. Distributed 1,500 surveys regarding the options in the preliminary report.

While the level of participation and response was not as great as we desired, we have made a sustained effort to involve the public in our activities and we also feel that we have received comments from a broad cross section of Maine's residents. We hope that with these final recommendations, which will also be widely distributed, more citizens will take the opportunity to become involved in the deliberations leading to implementation of this report.

#### B. TASK FORCE RECOMMENDATIONS

The recommendations call for major institutional changes. The Task Force feels that minor system reforms will not solve the problems, but rather such an approach would only serve to delay the time when major decisions will have to be made. Such a delay would make more difficult, if not preclude, the institution of needed reforms. Americans are sometimes criticized for reacting only in a crisis situation. On the surface, some of the recommendations may seem more cumbersome, costly and complex than the current system. In considering the options, the Task Force balanced the longer term improvements in governmental operations against the short term adjustments required by such reform. With major changes in place, we feel that a more effective and accountable system of middle layer government will emerge. The proposed mid-level government is designed to meet Maine's needs and priorities rather than having less viable institutions forced upon the State by the Federal government.

Transition costs may at first glance appear to be excessive. However, when looking at the millions of taxpayer dollars now being spent at the substate level, the Task Force feels that system improvements will, in the long run, save dollars or at least decrease the rate of growth in the funding of needed programs. Currently, the taxpayer sees the dollars being spent but is unable to easily identify or even influence how and where these resources will be spent. The placement of accountability into a visible and accessible system of government will at least give the public the opportunity to determine if it wants to pay the price of government programs. In many instances, this option does not now exist.

The Task Force has not outlined every specific detail in each of the recommendations. Only time will permit the proper evaluation of daily operations in order that unique sub-area problems will be resolved with the maximum contribution of the public. To achieve major reform the Task Force needs a public understanding of the problems and support of problem solutions. It was our intent to be responsive to the concerns of the public and our final report takes into account the divergent views and concerns which have come before the Task Force. The major single goal of this Task Force is to seek a more responsive government. We hope the citizens of Maine will join us in this effort.

## REORGANIZING COUNTY GOVERNMENT

The Report of the Commission on Maine's Future states that it should be "the policy goal of the State of Maine to ensure that government be administered as close to the individual as the public interest will allow." In examining the multitude of substate districts in Maine, it is clear that closeness to the individual does not just mean physical closeness, but more importantly closeness should mean accountability and responsiveness.

Presently there exists no viable unit of government which is directly accountable to the electorate, can serve in an areawide capacity, and has the authority of a governmental entity. The proliferation of agencies, organizations or offices operating at a geographic level smaller than the state and larger than a municipality illustrates the need for some mechanism at the areawide or substate level that is easily identified and can coordinate and make sense of the complexity of substate governmental activity. The county is a logical choice in that it is already in place, easily recognized, and serves an areawide clientele.

However, county government, as it exists today, is not equipped to assume the functions of an areawide governmental entity. It has neither the statutory authority nor the expertise to do so. The following recommendation is designed to increase county government's role, enhance its effectiveness and bring coordination and accountability to all levels of government operating at the substate level.

The following outlines our proposal for county reorganization. These proposals offer flexibility to each county in the areas of (1) governing body structure; (2) administration; (3) finance; and, (4) the assignment of functions. This flexibility should enable the public to tailor county government to its specific needs.

## I. COUNTY GOVERNMENTAL STRUCTURE

*The Task Force recommends that county government be restructured into a Council-Manager or Council-Executive form of government. The Council would consist of 5, 7 or 9 members. The Council would be elected by district based upon a one-man, one-vote basis. Council members would serve for a two year term. The basic duties of the Council and Manager or Executive would be as follows:*

### A. Council Duties

1. The Council shall be responsible for any policy decisions pertaining to county government matters.
2. The Council shall have final approval of the annual county budget.
3. The Council shall appoint the county manager (if this option is chosen).
4. The Council shall approve the appointment of department heads, under either form.
5. The Councilors are also authorized to enter into contract with localities for services, seek and receive federal and state funds and accept other public and private funds.
6. The Council shall approve the creation and membership of any board, committee, commission or district which affects the County in those instances in which the creation or appointment is not provided by the general law, the Maine Constitution, or by the expressed actions of municipalities.

### B. Executive Duties

For the chief executive administrator, two options are available: an appointed manager or an elected executive. The general duties of the chief executive will be as follows:

1. Service as chief administrative officer. To serve as the chief administrative officer of the county government,

2. Execution of policies. To execute the policies of the Council,
3. Director and coordinator of agencies. To direct and coordinate operational agencies and administrative activities of the county government,
4. Preparation of budgets. To prepare annual operating and capital improvement budgets for submission to the Council,
5. Responsibility for personnel policy. To be responsible for the administration of county personnel policies, including salary and classification plans approved by the Council.

In terms of an at-large elected administrator, the executive, would also have the responsibility of presiding over Council meetings and voting in the case of a tie.

## II. County Budget

*The Task Force recommends that final authority for the county budget be transferred from the State Legislature to the elected County Councils.* The budget shall be transmitted to the Council by the manager or executive and the County Council shall have final approval over the county budget after holding public hearings on both the proposed and final budget document. Public hearings shall be held in each of the Council districts. Further, no new form of county-wide tax shall be levied unless first approved by a county-wide referendum. The Council shall be also authorized to charge for services to individual municipalities only if so approved by the affected municipal governing body. The Council shall be further empowered to seek and accept Federal, State and other public and private funds. All such funds shall be clearly identified in the County budget document which shall be made available on a timely basis to the public.

While the elected Council will have final approval over the budget, an option is provided to allow for the creation of a Municipal Finance Review Board. The size of the Board shall be equal to the number of Council districts (5, 7, 9). Members of the Board shall be chosen by elected municipal officials in each district. The Board shall be given access and shall have the right to comment upon the County budget as it progresses through the approval process.

### III. County Functions

*Counties may perform only those governmental functions as are authorized by state or federal statute; assigned by administrative action; or, as are provided by contractual agreement with municipalities.*

The Task Force believes that county government can be a mechanism to bring coordination and accountability to substate organizations operating at the areawide level. The State and Federal government should move to use counties for program implementation and service delivery where feasible and desirable. However, new functions should not be arbitrarily mandated to county government, but rather, be assigned by the express wishes of state, federal and municipal governing bodies.

### IV. Special Offices

*The Task Force believes that policy making positions at the county level should be accountable to the people through the electoral process. Those positions which are administrative in nature should be accountable to elected officials and, therefore, appointive. The Task Force recommends the following three actions be implemented:*

1. The Judge of Probate and Register of Probate are court functions and should become part of the State Court System. We recommend that these positions be appointive.

2. Those county administrative positions, such as the Register of Deeds and Treasurer, should be appointed by the Chief Executive Officer with approval of the county council.
3. Each county by State statute, should be allowed to either appoint the Sheriff or continue the current electoral system.

We realize a constitutional amendment is required to change the present system of selecting the County Sheriff, Judge of Probate, and Register of Probate and recommend such action be taken.

#### V. County Consolidation

*Two or more counties should, by a majority vote in each county, be allowed to consolidate into a new single county.* The Task Force recommends statutory change enabling counties to merge or consolidate after a majority vote in each county and after successful petition to the State Legislature. Such action may be desirable in the future for those counties which are too small in terms of population or geographic area to effectively carry out their responsibilities. This enabling legislation shall not preclude county consortiums or joint county activities.

#### VI. Reorganization Implementation

*State statute presently enables counties to form or create charter commissions on a voluntary basis. The Task Force recommends that each county be required to create a charter commission.* Current statute enabling counties to form charter commissions should be made mandatory. Composition of the charter commission should be specified as follows:

Membership. The charter commission shall consist of 9 members, 6 of whom shall be voters of the county, elected as hereinafter provided, and 3 of whom shall be appointed by the County Commissioners. Voter members shall be elected in the same manner



as County Commissioners and shall be elected by district if the County Commissioners are so elected, except that they shall be elected without party designation. Appointive members need not be residents of the county, but only one may be a county officer. Appointments shall be made in accordance with county custom or bylaws and shall be made by the County Commissioners within 30 days after the adoption of the charter commission.

The responsibility of the Charter Commission is to submit to public referendum, a charter which includes provisions covering the following: (1) Size of Council; (2) Council Districts; (3) Type of Chief Executive (elected or appointed and term of office); (4) The need for a Municipal Finance Review Board and details of its operation; (5) Method of selection of Sheriff; and, (6) Other County structure, duties and procedures not specifically addressed in the enabling legislation.

Counties will be given three years within which to adopt a charter by referendum vote. The charter will be sent to the Legislature for final approval. If a County fails to adopt a charter within three years, then the Legislature will establish a minimum structure as outlined in the enabling legislation. Once in place the County structure can be changed by the eventual adoption or amendment of a county charter.

REVISION OF PLANNING, DEVELOPMENT AND  
STATE ADMINISTRATIVE DISTRICTS

It is important to note that the Task Force did not attempt to reconcile or redraw the myriad of substate district boundaries. We believe that the real need is to develop an official set of overall districts that meet the social, economic, physical and political needs of Maine. No single set of boundaries will meet all agency needs. However, a firmly established system of districts that are legitimate, accountable and recognized by the state as the official districts will result in the reduction of the number of substate units now operating in the state. *The boundaries recommended by the Task Force for the official districts are counties.* This is proposed for a variety of reasons which include: (1) county boundaries are traditionally recognized and are familiar to Maine residents; (2) current regional planning commission boundaries closely approximate counties or multiples of counties; (3) a number of major state agencies currently use aggregates of counties in their administrative districts; (4) social and economic data is consistently collected for counties by state and federal agencies; and, (5) a number of services are currently delivered on a county basis. These and other related reasons seem to indicate that county and multi-county boundaries are most appropriate in organizing the coordination and delivery of substate services.

It is also important to note that recent Federal actions are moving in the direction of greater utilization of official state districts. The USDA Farmers Home Administration has contacted all of the states and has indicated its willingness to conform to state districts. Further, as part of a Presidentially ordered program, the Office of Management and Budget is examining ways to have more uniform Federal agency consistency with officially established state districts. These actions tend to support the need for

and indicate the potentials of instituting a mandated system of state districts.

The Task Force recommends the following draft Executive Order. It contains a number of features which differ from the 1972 Order. Aside from designating Counties as the Planning and Development Districts, it further requires state agency conformity to these districts. Recognizing that there will be some deviation from Counties, the order spells out a procedure, including required local and county comments, for an agency to differ from the official districts. The order permits multi-county districts but it does not allow for the designation of more than one official review agency within any one county. Further, unless resulting from local action, the order does not adversely affect currently organized regional planning commissions. However, if at some point in the future, municipalities decide to assign planning responsibilities to the reorganized counties, the use of counties as district boundaries should make such a transition easier. It is, therefore, hoped that we have removed a barrier to reform while at the same time mandating greater conformance to an official set of districts. Over time, federal and state agency compliance to this order should simplify our substate district system, make it more understandable to the public, and also create an opportunity for more coordination and greater efficiency in service delivery.

According to state statute (Title 30 §4521) the "Governor may, after consultation with the State Planning Office, regional planning commissions and the officers of the municipalities and Counties involved, revise (planning and development) district boundaries." The Task Force recommends that the proposed draft be circulated by the Governor in order to meet this statutory requirement.

## PROPOSED EXECUTIVE ORDER

### REVISED PLANNING, DEVELOPMENT AND STATE ADMINISTRATIVE DISTRICT BOUNDARIES

WHEREAS, Title 30, Section 4521 of the M.R.S.A. allows the Governor to designate regional planning and development districts and subdistricts for the purpose of coordinating policies, plans and programs among and within the various levels of government affecting the development of those districts or subdistricts, and

WHEREAS, the Governor may, after consultation with the State Planning Office, regional planning commissioners and the officers of the municipalities and counties involved, revise the district boundaries to reflect changing conditions or, otherwise to fulfill the purposes of the statutes, and

WHEREAS, the Task Force on Regional and District Organizations (hereinafter referred to as the Task Force) has consulted with the State Planning Office, Regional Commissions, town officials and counties regarding the district boundaries, and

WHEREAS, the Task Force has concluded that:

1. The boundaries established in 1972 for Planning and Development Districts have not been adhered to by many state, federal and substate agencies;
2. That the continued proliferation and fragmentation of new districts has prevented program and policy coordination;
3. The continued growth in districts has resulted in the lack of agency accountability and responsiveness to the public;
4. The fragmentation of districts wastes public funds;
5. That the need exists to maintain a system of planning and development districts in order to coordinate and administer these programs and agencies which provide areawide services to the public;
6. That planning and development should be coterminous with units of government which are familiar to the public and which have been of historical significance to the state, and

WHEREAS, the Task Force was charged with the responsibility in Executive Order No. 6, FY 77/78 of evaluating substate districts and recommending desirable changes to minimize overlapping of functions, prevent duplication and to further recommend procedures whereby substate district functions will be more responsive and accountable to the public; and,

WHEREAS, the Task Force has concluded that the counties in Maine are identifiable to the public and provide for a more logical system of districts;

NOW, THEREFORE, I, \_\_\_\_\_ Governor of the State of Maine, do hereby order and direct that the State's 16 counties are the official planning and development districts for the State of Maine.

FURTHER, in accordance with Title 30, Section 4522 of the M.R.S.A. only one regional planning commission shall be designated and authorized to receive, review and comment upon State and Federal projects and plans affecting the county and to further implement this statutory section.

By vote of the municipal officers in each town affected, a regional planning commission may serve multi-county districts and be authorized to fulfill Title 30, Section 4522. Municipalities seeking to establish a new regional commission in addition to those now designated by Executive Order No. 6, 1972, shall notify the State Planning Office of this intent. If such local actions comply with the requirements of M.R.S.A. Title 30, Section 1301, 4511, 4512, 4513, 4514, 4515, 4516 and 4517, then the State Planning Office shall indicate such compliance to the Governor who may authorize the newly created commission to perform the duties outlined in M.R.S.A. Title 30, Section 5422.

All currently organized commissions shall retain their present status until such time as new designations may be made. Within one year after the issuance of this order, regional commission boundaries shall conform to official county or multiple county lines.

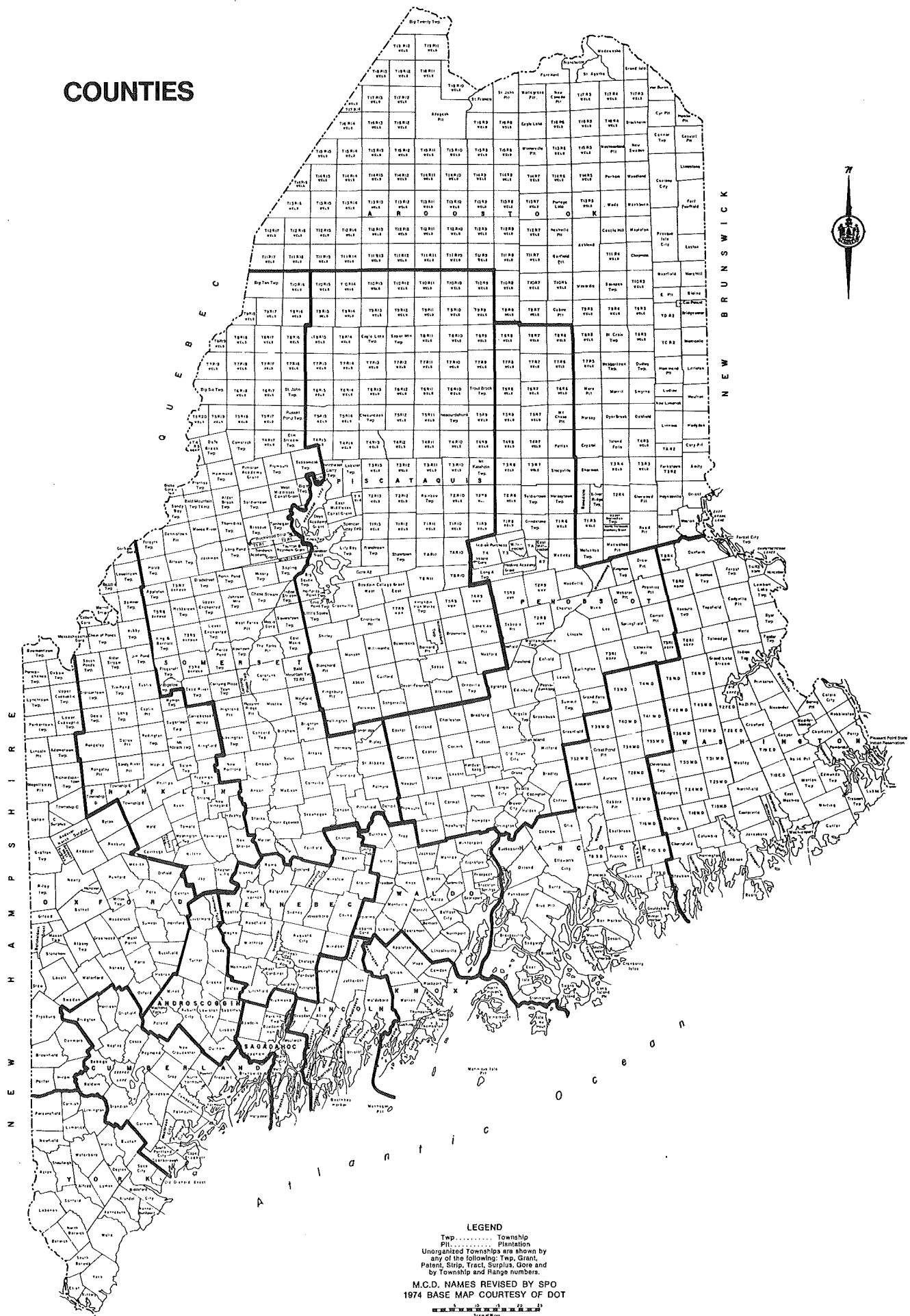
Further, all state agencies within the Executive Branch of government are hereby ordered to align their administrative or service delivery regions with the official districts provided that such alignment does not conflict with State or Federal statute. Those agencies seeking to aggregate counties to form their regions shall notify the affected municipal, county and planning commission officials of such intent. Within 30 days after such notification these officials shall comment on the proposal to the Governor who shall approve, reject or modify the proposed district designation.

Any commission may create within its area of jurisdiction subdistricts for the purpose of further localizing the commissions planning and related activities. Municipal representatives may form a subdistrict board in order to coordinate and provide more local review to planning and related actions affecting their area. Actions of such boards shall be advisory to the commissions and the commission shall notify the State Planning Office of the creation of any such boards.

The boundaries and names of the official county planning and development districts are shown on the attached map and shall be used for State and Federal substate district purposes unless otherwise authorized by law or modified in accordance with Title 30, M.R.S.A. Section 4521.

Nothing in this Order shall be construed to mean that totally new regional commissions must be organized.

# COUNTIES



## LEGEND

Twp. .... Township  
 Plt. .... Plantation  
 Unorganized Townships are shown by  
 any of the following: Twp, Grant,  
 Patent, Strip, Tract, Surplus, Gore and  
 by Township and Range numbers.

M.C.D. NAMES REVISED BY SPO  
 1974 BASE MAP COURTESY OF DOT

Scale of Miles  
 0 10 20 30 40 50



## STATE MULTI-PURPOSE SERVICE CENTERS

One of the requirements of the Task Force was to examine and recommend ways to improve the quality of governmental services, reduce government costs and to bring service delivery closer to the people. The Task Force has concluded that the development of decentralized state service centers would be a positive step in achieving these goals. State services which cannot actually be transferred to a lower unit of government can at least be brought physically closer to the population they are to serve. Some 17 state agencies have substate administrative districts and 16 agencies operate field offices in various portions of the state. The districts are not coterminous and field offices of different agencies, even when located in the same community, are frequently in scattered locations. While a number of agencies have recognized the need to decentralize, these efforts have, particularly on an interagency basis, occurred in an uncoordinated fashion. Thus, services in many areas are often dispersed and sometimes inadequate to meet the needs of the people they intend to serve. This is partly the case because services are often developed in response to crisis situations. Related services are sometimes fragmented among many different and uncoordinated organizations, and many people fall between their jurisdictions and programs without receiving the needed services. In addition, the services are sometimes located in obsolete facilities or inconvenient locations, and open only at times when many people are at work or busy with family demands.

Fragmentation of the service delivery system is perhaps one of the most important factors hindering the effective delivery of services. Sometimes it is necessary to shop among highly professionalized workers within the same organization to determine what can be done to provide the necessary assistance. The full needs of people are seldom adequately met by a single narrow categorical program through which help has traditionally



been channeled. The existing sources of assistance, moreover, are often numerous, scattered, and isolated from each other. In short, a consumer cannot, at present, seek assistance for a multitude of interrelated problems at a single location nor is there a single source of management capability to monitor progress through the system. The result is impaired effectiveness and efficiency.

*The recommendation is to revise and revitalize the State service delivery system; to develop more effective methods of service delivery; and to establish procedures for continuing system renewal.*

The benefits arising from the development of a State decentralized and coordinated service system would be:

- A. Easier access to State services by citizens obtaining a variety of these services.
- B. Increased citizen knowledge of State services relating to a particular part of the State.
- C. Reduction of costs by departmental sharing of supporting service and facility costs.
- D. Opportunities for increased interdepartmental cooperation through structured meetings between field office directors in the district.

In sum, the major purposes of decentralization are to:

- A. Increase public physical and psychological accessibility to governmental services.
- B. Increase the responsiveness of governmental institutions to citizen needs.
- C. Offer a comprehensive range of services at one center.
- D. Increase coordination of intergovernmental services.
- E. Improve the efficiency of governmental services.
- F. Increase communication between citizen and government.

### State Service Area Districts

*The establishment of specific service areas for the individual regional centers is desirable to organize the delivery of services in some sensible manner.* The justifications for the establishment of service areas include:

- A. To facilitate effective coordination by necessitating contacts with only one agency head from each service district.
- B. To develop information that identifies social, economic and physical problems in each area as a basis for more realistic budget and operational planning.
- C. To utilize the service areas for purposes of joint planning and operations to effect joint use of existing facilities.
- D. To reduce duplication of service delivery and eliminate excessive competition for service consumers.
- E. To increase efficiency, effectiveness, and cooperation in the operation of agency programs by providing an understanding of the other related programs and an orientation to an identified service region.
- F. To make services more readily available to one-stop centers serving similar areas.
- G. To develop closer ties with citizens to ensure that programs are increasingly responsive to the actual needs of the various service communities.

### Program Requirement for Effective Implementation

The service center system could address itself to the revitalization of the entire service delivery system. In order to accomplish this, the service center system should:

- A. Serve a region which is large enough to support a comprehensive range of services from the standpoint of economic efficiency, but small enough to insure consumer responsiveness.

- B. Make an effort to reach all those requiring assistance.
- C. Be financed through multiple methods which assure availability of service through public or private funding sources.
- D. Be designed to be responsive to regional demands for change, and have the capacity to reorganize itself as often as needed to maintain effectiveness within general state policy requirements.
- E. Have a single management capability for coordination with access to multiple service providers.
- F. Be linked to other systems in ways that permit ready consideration of problem cases, enhance access to and utilization of other system services, shared facilities, and the like.

#### Centers In Maine

Without a more thorough and careful examination, the total number of regional service areas needed in Maine is difficult to determine. However, there are definite centers of economic and social activity in the State which can be identified. Certainly Augusta, Portland, Bangor and Lewiston-Auburn are identifiable centers of activity. In smaller or more remote areas, the use of subcenters should be considered. These would be essentially multi-purpose centers but scaled down relative to size and nature of the population to be served. Subcenters might include areas such as Ellsworth, Presque Isle, Rockland, Farmington, Biddeford-Saco and other locations where the need exists to provide state services in close proximity to residents.

#### Services Provided

At the regional center level one major function would be "information and referral." In other words, while the center may not be appropriate in every case to actually provide certain services, the center would be a source of knowledge as to what services are available and where they are located.

In addition to housing agency administrative personnel, the following types of services would generally be provided at the regional centers.

1. Issuance of state licenses and permits.
2. Motor vehicle registration.
3. Selected human services operations such as central screening, certifications for eligibility and case work functions.
4. Information on state environmental rules, regulations, laws and various application forms.
5. Employment training and job bank
6. Lottery sales.
7. State personnel examinations and job placement.
8. Veterans Services.

In addition to the above and related services, it would also be desirable to co-locate, wherever possible, any federal services or agencies in the area as well as any county, local or private non-profit service providers. Such a co-location system would permit immediate access by the public to information regarding all governmental programs and services in the region.

### Costs

Studies in other states and preliminary reports in Maine indicate that considerable cost savings can accrue by decentralizing and co-locating state agency activities into single locations. The State is currently leasing scattered office space throughout the state for regional office activity. If the state were to build and own a single service center building in certain locations, an annual savings of up to 30% should result (ownership of centers vs. leasing scattered offices) over the long term. Savings resulting from shared staff and overhead costs also could be realized. Therefore, the Task Force feels that the concept of service centers can save taxpayers' dollars, and will help achieve the goals of a more responsive state government.

## Summary

While this concept is a long term proposal, the state should immediately develop a program for the creation of major and minor service centers. Further, as these centers are developed it becomes necessary to clarify state administrative service districts. It is recommended that such districts coincide with the boundaries (either equal to, aggregates of, or subparts of) for planning and development purposes. To the extent possible, state agency field offices should also be located with county and federal offices in order to increase coordination and to make government services more accessible to the public.

## ASSIGNMENT OF GOVERNMENTAL FUNCTIONS

One of the charges to the Task Force was to "define as clearly as possible those functions that should be administered at the state, municipal or sub-state level." Having reviewed the comments made by agency officials; materials received by operating agencies; and general studies in the area of governmental functions, *the Task Force has developed a guide as to what level of government, local (urban and rural), areawide, special district, or statewide should perform selected public functions.*

The following criteria have been used to assign functional responsibility:

1. Political Accountability - Functions should be assigned to jurisdictions that: (a) are controllable by, accessible to, and accountable to their residents in the performance of their public service responsibilities; and, (b) provide maximum opportunities for affected citizens to participate in and review the decision making process relative to the performance of a service.
2. Fiscal Equity - Functions should be assigned to jurisdictions that are large enough to encompass the cost and benefits of a service and that have adequate fiscal capacity to finance their public service responsibilities.
3. Economic Efficiency - Functions should be assigned to jurisdictions that are large enough to realize economies of scale and at the same time achieve a physical and psychological closeness to its residents.
4. Administrative Effectiveness - Functions should be assigned to a jurisdiction that: encompasses a geographic area adequate for the effective delivery of a service; is capable of balancing competing interests; and, that has adequate legal authority to perform a function.

The above criteria are clearly related to the intent of the Executive Order which dealt with such concepts as: minimizing overlap and duplication of function; the need for accountability and responsiveness; and, improving service quality and reducing the cost of service delivery.

In developing the list of functional assignments the Task Force was very cognizant of the fact that there currently does not exist an areawide unit of government which can meet these assigned criteria. We hope that the recommendations in this report will result in the development of such an institution.

The Task Force feels that there are selected services that can best be provided at a county/areawide level. The need to retain special districts in certain cases is also recognized. In some cases, water districts, school districts and sewerage treatment districts may be most efficiently operated separate from other governmental functions. In other instances, the special district may no longer be needed and the service may be provided on a county wide basis or on a contractual arrangement between the county and a group of towns.

The following list does not call for local authority to be shifted to an areawide unit of government. However, it suggests some transfer of functions from the state to the county level. In most instances where such transfers are provided for, it would generally be under a contractual arrangement when a municipality is unable to perform the service at a strictly local level or when it would seem more efficient to deliver a state-wide service at an areawide level or location. Further, many of the functions noted at the areawide level are, in fact, currently performed by some sub-state institution. The intent of allowing the areawide unit to provide or contract with such services is to consolidate many of these programs to varying degrees in order to achieve the goals of accountability, fiscal equity, economies of scale and administrative effectiveness.

POSSIBLE ASSIGNMENT OF GOVERNMENTAL FUNCTIONS  
BY LEVEL OF GOVERNMENT

<u>Function</u>	<u>Urban</u>	<u>Local</u> <u>Rural</u>	<u>County/</u> <u>Areawide</u>	<u>Special</u> <u>District</u>	<u>State</u>
I. Natural Resources:					
1. Water Supply	Reservoir or lake	Individual wells	May provide service	Group of towns use reservoir or lake cooperatively	Regulatory function
2. Sewage disposal	Municipal sewage system	Individual septic systems	May provide	Towns may cooperate in developing treatment plant	Regulatory function
3. Refuse Collection	City or private contracted pick-up	Individual or private pick-up service	May provide	Group of towns may contract	
4. Refuse Disposal	Municipal dumping/recycling	Municipal dumping or recycling	May provide	Group of towns may develop joint site	Regulatory function
5. Parks & Recreation	Municipal recreation program parks	Local recreation program and park development	May provide	Towns may develop joint park authorities	State Parks
6. Pollution Control Air	Enforcement	Enforcement	Planning		Regulatory function
Water	Enforcement	Enforcement	Planning		Regulatory function
7. Animal control	Dog catcher shelters	Dog catcher	May provide		



<u>Function</u>	<u>Urban</u>	<u>Local</u>	<u>Rural</u>	<u>County/ Areawide</u>	<u>Special District</u>	<u>State</u>
II. Human Resources:						
1. Public Health	Health nurse Health dept.	Local health officer		May provide	May provide	State Bureau of Health - Testing and regulatory functions
2. Mental Health				May provide under State contract		Mental Health centers - State Hospital administrative functions
3. Welfare	General assistance	General assistance		May provide under State contract		AFDC - Food Stamps Regulatory functions
4. Education	School department				School Administrative Districts and community school districts vocational regional technical centers	Regulatory, Service and Leadership functions
5. Hospitals	City Hospital			May provide	Private non- profit hospitals Hospital service areas	Administrative Regulatory and Planning functions
III. Community & Economic Development						
1. Libraries	Local Library	Local Library or may rely on State Bookmobile		Law Library	Rural communities may jointly support a library	State Library State Law Library Bookmobile

<u>Function</u>	<u>Urban</u>	<u>Local</u> <u>Rural</u>	<u>County/ Areawide</u>	<u>Special District</u>	<u>State</u>
2. Transportation	Airport Bus routes	Local bus route	Airports and ferry services, planning	Towns may join together to develop metro program	Planning, regulatory, maintenance. airports, ferry, rail
3. Code Enforcement	Town appointed	Town appointed	May provide	Towns may jointly hire code enforcement officers	Regulatory function
4. Planning	Local planning board	Local planning board	Planning	Economic area	Statewide
5. Land Use					
A. Zoning	Local ordinance	Local ordinance	Under reformed system the unorganized territory could be placed under county/areawide control		Shoreland
B. Subdivision Approval	Local planning board	Local planning board	Review in cases of major impact and unorganized territory		Only where state has vested interest
C. Building Permits	Local function for issuance	Local function for issuance	Unorganized territory		Possible State Code
6. Economic Development	Community Development Grants, Public Works, etc.	Community Development Grants, Public Works, etc.	Planning and Assistance CETA/training	May provide	Planning and technical assistance CETA

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<u>Function</u>	<u>Urban</u>	<u>Local</u>	<u>Rural</u>	<u>County/ Areawide</u>	<u>Special District</u>	<u>State</u>
IV. Public Safety						
1. Police	Local Unit	Rely on county Sheriff and State Police		County Sheriff departments		State Police
2. Ambulance	Locally supported			May provide	Rural towns join together	
3. Fire Protection	Local departments	Local departments		May provide	Forestry District Town may jointly contract	Forest Fire Protection - State Fire Marshall, arson investigation, code formulation
4. Courts				Superior Court Probate Court	District Courts	Supreme Court
5. Jails	Local lock-ups			Detention		State Prison Correctional centers
6. Communications				County hooked into statewide system, CEP	911 type systems	Statewide emergency system
7. Prosecutions				District Attorney's		State Medical Examiner, Attorney Generals Office
V. General Government						
1. Election Administration	Ballot box supervision	Ballot box supervision			SAD's Hold budget votes	Inspects, mandates
2. Voter Registration	Local registrar	Local registrar				Regulatory function

<u>Function</u>	<u>Urban</u>	<u>Local</u> <u>Rural</u>	<u>County/</u> <u>Areawide</u>	<u>Special</u> <u>District</u>	<u>State</u>
3. General Licenses, Permits	Automobile Registration hunt/fish dog license liquor	(same as urban)			Motor vehicle, Major environmentally related permits. Possible decentralization at multi-purpose centers.
4. Tax Collection	Local assessment (property)	Local assessment (property)	May provide		Income Tax Sales Tax Other Special Taxes
5. Valuation	Local valuation	Local valuation	May provide		Regulatory/ uniformity activity
6. Snow Removal	May provide or contract	May Provide or contract	May Provide or contract, in unorganized territories		On State Highways
7. Federal/State Agency Coordination	May coordinate locally run programs		Regional coordination		Coordination of federal funding sources and programs



SUMMARY OF PUBLIC HEARINGS  
AND  
SURVEYS



## Public Hearings Summary

One method used by the Task Force to enable public participation in the development of recommendations was to hold public hearings. A total of 16 hearings were held throughout the state. Attendance at each hearing averaged 20 people with overall attendance of around 320 people. Both oral and written comments were presented to the Task Force at the hearings.

The following is a summary of the views expressed and the consensus reached during the hearing process.

- I. The general consensus reached throughout the hearing process was that county government should be modernized. However, there were some differences as to what shape or structure a modernized county government would assume. Generally supported was the representative council consisting of 5 or more elected members, yet some individuals proposed an assembly approach. There was some division of opinion as to whether a county manager should be elected or appointed, although the appointed manager concept seemed supported in a greater number of hearings. Concern over the election or appointment of the sheriff was also expressed. However, it was felt that most county officials should be appointed.
- II. Concerns over the financing of a modernized county government were raised. The consensus was that any new taxes or increased reliance on the property tax would not be well received, yet the new structure would require more funds than the present structure. Supported as options for funding were fees for contractual services provided by the county to municipalities, the ability to accept federal funds, and the transfer down from the state of funds for any state functions assumed by the county. Some



sentiment exists for budget review committees and the use of the referendum to authorize any new taxes or increase in taxes.

- III. County budgetary authority was overwhelmingly endorsed. The State Legislature was not viewed as the proper entity to approve county budgets. It was felt that if counties were to be reorganized and were to be responsible for new or additional functions, as well as to be more accountable then budgetary control is essential at the county level. Views as to the proper entity generally supported the county council; however, a budget review committee comprised of local officials, or a representative county assembly were mentioned as major options.
- IV. County government was viewed as a mechanism which could assist municipalities in program areas where expertise was lacking at the local level, which were too costly to implement at the municipal level, or which were areawide in nature. Functions such as solid waste management, data processing, and planning were given as examples where a county could assist municipalities at their request. It was generally felt that counties should not assume local functions unless authorized by one or more municipalities on a contractual basis or by public referendum. Coordination or administration of programs operating at the county level was viewed as simplifying the present system and making it more accountable.
- V. There tended to be support for coexistence between counties and regional planning commissions and that their relationship should evolve over time. It was agreed that the people in each county should determine if the county should assume the planning function. There was a general consensus that regional planning

commissions should follow county lines in order to facilitate coordination between these two entities.

- VI. The hearings overwhelmingly affirmed that the current structure of substate government (and government in general) is too large, complex and costly. People feel alienated from government because of their inability to affect decisions and because of the lack of knowledge of government agencies. While there was a general recognition of the need for government services and programs, some people advocated the abolition of many agencies and expressed concerns over the lack of accountability and responsiveness of government agencies.
- VII. Generally, people advocated bringing government programs and services down as close as possible to the local level. The county was viewed as a logical level due to the fact it is a traditional unit of government, easily identified, and is accountable through elected officials. Many people were concerned over where and how their tax dollars are spent and that there is no mechanism to evaluate or control this situation. The county could coordinate and review those programs within their jurisdictions and could provide oversight.
- VIII. Another method to coordinate services and bring them closer to the people is through state service centers. At those hearings where this topic was discussed the general consensus was that a service center would be of assistance to the citizens. A large number of people were concerned with always having to go Augusta to obtain assistance or services. It was pointed out, however, that these centers should be service in nature and not a mechanism to exert further state control.

## Survey Results

The Task Force, in addition to the public hearing process, included a questionnaire in each copy of the preliminary report as another means of obtaining public participation. To date 158 questionnaires have been completed and returned.

Of those individuals responding to the questionnaire, 69% favored the option of modernizing county government, while 20% favored the option of reforming regional planning commissions. Although respondents were asked to rank their preference of one option over the other, 28% indicated there could be improvement in both counties and RPCs. Those opposed to either option or not responding were 9% of the respondents and 3% stated a preference for both options. Following is a series of tables detailing responses to the questionnaire.

# I. RESPONDENTS

	<u>No. of Respondents</u>	<u>% of Respondents</u>
Municipal	69	44%
State	19	12
Regional	13	8
County	31	20
Other	26	16

# II. PREFERENCE OF OPTIONS

	<u>County Option</u>	<u>No Response or Neither</u>	<u>RPC Option</u>	<u>Both</u>
Municipal	64%	7%	23%	6%
State	68	16	16	-
Regional	54	15	31	-
County	84	3	10	3
Other	73	4	23	-
Total Respondents	69	8	20	3

# III. COUNTY OPTION - PREFERENCE OF THOSE WHO FAVORED THE COUNTY OPTION

## A. Council/Manager

	<u>Favored</u>	<u>Opposed</u>	<u>No Response</u>
Municipal	88%	7%	5%
State	85	8	7
Regional	67	17	16
County	67	13	20
Other	86	10	4

## B. Elected or Appointed Manager

	<u>Elected</u>	<u>Appointed</u>	<u>No Response</u>
Municipal	27%	68%	5%
State	23	46	31
Regional	17	33	50
County	29	50	21
Other	19	67	24

## C. Budget Approval

	<u>Council</u>	<u>State Legislature</u>	<u>Special County Committee</u>	<u>Both Council and Committee</u>	<u>No Response</u>
Municipal	36%	9%	27%	25%	3%
State	46	31	8	8	7
Regional	33	17	33	17	0
County	38	4	25	21	12
Other	52	5	14	14	15

D. Favor County Assumption Of

	<u>Planning Functions</u>			<u>Other Functions</u>		
	<u>Favor</u>	<u>Oppose</u>	<u>No response</u>	<u>Favor</u>	<u>Oppose</u>	<u>No Response</u>
Municipal	59%	32%	9%	70%	23%	7%
State	85	8	7	85	8	7
Regional	67	17	16	50	17	33
County	75	17	8	92	4	4
Other	57	29	14	67	24	9

E. County Planning Commission

	<u>Favor</u>	<u>Oppose</u>	<u>No Response</u>
Municipal	55%	27%	18%
State	85	8	7
Regional	83	17	0
County	54	29	17
Other	57	14	29

F. Other County Officials

	<u>Elected</u>	<u>Appointed</u>	<u>Other</u>
Municipal	43%	46%	11%
State	39	39	22
Regional	17	67	16
County	50	29	21
Other	19	43	38

IV. REFORMED RPCs - PREFERENCES OF THOSE WHO FAVORED THE RPC OPTION

A. Municipal Representation on a One Man, One Vote Basis

	<u>Favor</u>	<u>Oppose</u>	<u>No Response</u>
Municipal	88%	12%	-
State	33	67	-
Regional	67	33	-
County	67	33	-
Other	40	40	20%

B. Mandatory Municipal Membership

	<u>Favor</u>	<u>Oppose</u>	<u>No Response</u>
Municipal	56%	38%	6%
State	100	-	-
Regional	67	33	-
County	67	33	-
Other	60	20	20

### C. Changing Dues Structure

	<u>Municipal Valuation</u>	<u>Municipal Population</u>	<u>Both</u>	<u>No Response</u>
Municipal	38%	38%	13%	11%
State	33	67	-	-
Regional	20	20	40	-
County	33	33	-	34
Other	60	40	-	-

### D. Granting RPCs Municipal Powers

	<u>Favor</u>	<u>Oppose</u>	<u>No Response</u>
Municipal	69%	25%	6%
State	100	-	-
Regional	100	-	-
County	67	33	-
Other	80	-	20

While only 69 municipal officials completed the questionnaire, they comprised the largest group of respondents. The responses were representative of all sizes of communities ranging from smaller towns and plantations to the larger cities and also were representative of all geographic areas of the state.

The survey results indicated general dissatisfaction with the confusion in the present substate districting system and supported reform aimed at coordinating programs and district boundaries. Approximately 75% of those responding knew where to go for a needed service, yet more than 50% were unsure of the number and types of districts in which they reside. One must also keep in mind that 84% of the respondents are officials of state, county, regional, or local governments or organizations, who, perhaps, are more knowledgeable concerning substate districts than the private citizen.



## APPENDIX





SUBSTATE ACTIVITY BY MAJOR FUNCTIONAL AREA

Agency by Function	Natural Resources		Human Services					Community & Economic Development				Public Safety						General Government		Advisory Board Comms. or Commt.	Boundaries				
	Management	Planning/Development	Education	Health	Mental Health	Financial Assistance	Planning	Planning/Development	Employment	Housing	Transportation	Police & Warden	Fire Protection	Highway	Corrections	Judicial	Other	Administrative	Regulatory		County - Counties	RPC	Cluster of Towns	# of Districts	# Regional Offices
<u>Natural Resources</u>																									
Agriculture Soil & Water Conservation	x	x																		x	x			16	16
Conservation *Conservation Regions	x	x										x											x	4	4
Parks & Recreation	x																			x			x	7	7
Forest Fire Control		x										x	x										x	20	20
Blister Rust Control	x																							2	2
* Forestry, Parks & Recreation, and Entomology adhere to Conservation Regions, as well as further subdivide these regions for their own purposes.																									

SUBSTATE ACTIVITY BY MAJOR FUNCTIONAL AREA

Agency by Function	Natural Resources		Human Services					Community & Economic Development				Public Safety					General Government		Advisory Board Comms. or Commt.	Boundaries				
	Management	Planning/Development	Education	Health	Mental Health	Financial Assistance	Planning	Planning/Development	Employment	Housing	Transportation	Police & Warden	Fire Protection	Highway	Corrections	Judicial	Other	Administrative		Regulatory	County - Counties	RPC	Cluster of Towns	# of Districts
Spruce Budworm	x																						1	0
Forest Management	x	x																				x	19	3
LURC	x	x																		x		x	1	1
<u>Environmental Protection</u>																								
Land Quality Control	x																					x	4	4
Air Quality Control	x																					x	5	3
Solid Waste Management	x							x												x		x	4	4
Oil Conveyance	x																					x	2	2

SUBSTATE ACTIVITY BY MAJOR FUNCTIONAL AREA

Agency by Function	Natural Resources		Human Services					Community & Economic Development				Public Safety					General Government		Advisory Board Comms. or Commt.		Boundaries					
	Management	Planning/Development	Education	Health	Mental Health	Financial Assistance	Planning	Planning/Development	Employment	Housing	Transportation	Police & Warden	Fire Protection	Highway	Corrections	Judicial	Other	Administrative	Regulatory			County - Counties	RPC	Cluster of Towns	# of Districts	# Regional Offices
208 Planning		x																		x		x		11	11	
Water Quality Control	x																							1	1	
<u>Inland Fisheries and Wildlife</u>																										
Administrative	x	x																		x		x	7	7		
Management	x											x								x		x	8	0		
<u>State Planning Office Coastal Areas</u>	x	x						x												x		x	13	0		
<u>Marine Resources</u>																										
Coastal Warden	x											x								x		x	4	4		

SUBSTATE ACTIVITY BY MAJOR FUNCTIONAL AREA

Agency by Function	Natural Resources		Human Services				Community & Economic Development				Public Safety					General Government		Advisory Board Comms. or Commt.	Boundaries							
	Management	Planning/Development	Education	Health	Mental Health	Financial Assistance	Planning	Planning/Development	Employment	Housing	Transportation	Police & Warden	Fire Protection	Highway	Corrections	Judicial	Other	Administrative	Regulatory		County - Counties	RPC	Cluster of Towns	# of Districts	# Regional Offices	
USDA - Soil Conservation *Soil and Water Conservation	x	x																		x	x			16	16	
RC & D	x	x						x												x				4	4	
Watershed Projects	x																			x		x	32	0		
Cobbossee River Corridor Commission	x	x																		x		x	1	1		
RPCs Land Use		x						x												x	x			11	11	
Saco River Corridor Commission	x	x																		x		x	1	1		
* Also accountable to State Department of Agriculture, counted as one set of districts.																										

SUBSTATE ACTIVITY BY MAJOR FUNCTIONAL AREA

Agency by Function	Natural Resources		Human Services					Community & Economic Development				Public Safety						General Government		Advisory Board Comms. or Commt.		Boundaries					
	Management	Planning/Development	Education	Health	Mental Health	Financial Assistance	Planning	Planning/Development	Employment	Housing	Transportation	Police & Warden	Fire Protection	Highway	Corrections	Judicial	Other	Administrative	Regulatory			County - Counties	RPC	Cluster of Towns	# of Districts	# Regional Offices	
Totals - Natural Resource	x	x						x				x									x	x	x	x	183	106	
Human Services																											
Human Services Administrative				x		x			x								x				x				5	24	
Area Agencies on Aging				x			x			x	x										x				5	5	
Hospital Service Areas				x																				x	42		
Health Planning				x			x														x				11	0	
Public Health Nursing				x																		x			7	18	

SUBSTATE ACTIVITY BY MAJOR FUNCTIONAL AREA

Agency by Function	Natural Resources		Human Services				Community & Economic Development				Public Safety					General Government		Advisory Board Comms. or Commt.	Boundaries						
	Management	Planning/Development	Education	Health	Mental Health	Financial Assistance	Planning	Planning/Development	Employment	Housing	Transportation	Police & Warden	Fire Protection	Highway	Corrections	Judicial	Other	Administrative	Regulatory		County - Counties	RPC	Cluster of Towns	# of Districts	# Regional Offices
<u>Mental Health and Corrections</u>																									
Mental Health Catchment					x												x				x			8	8
Mental Retardation					x																x			6	6
Probation & Parole															x							x		4	4
<u>Community Services</u>																									
Community Action Agencies			x	x					x	x	x										x	x		12	12
Counties						x															x			16	16
Maine Health Systems Agency				x			x														x			5	1
Regional Health Agencies				x																	x			10	10
<u>Total Human Services</u>			x	x	x	x	x		x	x	x				x		x				x	x	x	115	104

SUBSTATE ACTIVITY BY MAJOR FUNCTIONAL AREA

Agency by Function	Natural Resources		Human Services				Community & Economic Development				Public Safety					General Government		Advisory Board Comms. or Commt.		Boundaries							
	Management	Planning/Development	Education	Health	Mental Health	Financial Assistance	Planning	Planning/Development	Employment	Housing	Transportation	Police & Warden	Fire Protection	Highway	Corrections	Judicial	Other	Administrative	Regulatory			County - Counties	RPC	Cluster of Towns	# of Districts	# Regional Offices	
Community Economic Development																											
Transportation State Maintenance											x			x								x				7	7
Urbanized Area Transportation Study											x											x		x		2	2
Manpower Affairs																											
Unemployment Compensation						x			x													x		x		16	16
Job Service									x													x		x		21	21
Work Incentive Program									x													x	x			7	7



SUBSTATE ACTIVITY BY MAJOR FUNCTIONAL AREA

Agency by Function	Natural Resources		Human Services				Community & Economic Development				Public Safety					General Government		Advisory Board Comms. or Commt.		Boundaries						
	Management	Planning/Development	Education	Health	Mental Health	Financial Assistance	Planning	Planning/Development	Employment	Housing	Transportation	Police & Warden	Fire Protection	Highway	Corrections	Judicial	Other	Administrative	Regulatory			County - Counties	RPC	Cluster of Towns	# of Districts	# Regional Offices
Labor Market Areas								x	x												x			x	25	3
<u>State Planning Office</u>																										
RPC		x						x		x											x		x		11	11
Economic Summary Areas								x															x		44	
<u>Economic Development Administration</u>																										
Economic Development Districts								x													x		x		3	3
<u>UMO, USDA</u>																										
Cooperative Extension	x	x						x													x				14	16

SUBSTATE ACTIVITY BY MAJOR FUNCTIONAL AREA

Agency by Function	Natural Resources		Human Services				Community & Economic Development				Public Safety						General Government		Advisory Board Comms. or Commt.		Boundaries				
	Management	Planning/Development	Education	Health	Mental Health	Financial Assistance	Planning	Planning/Development	Employment	Housing	Transportation	Police & Warden	Fire Protection	Highway	Corrections	Judicial	Other	Administrative	Regulatory		County - Counties	RPC	Cluster of Towns	# of Districts	# Regional Offices
Farmers Home								x		x	x			x							x			4	4
CETA									x												x			5	16
Total - Community & Economic Development	x	x				x		x	x	x	x										x	x	x	159	106
Public Safety																									
Criminal Justice Planning & Assistance Agency																									
Criminal Justice Planning																	x				x	x		7	7
Judiciary																									
Superior Court																	x				x			16	16
District Court																	x				x			33	13

SUBSTATE ACTIVITY BY MAJOR FUNCTIONAL AREA

Agency by Function	Natural Resources		Human Services				Community & Economic Development				Public Safety					General Government		Advisory Board Comms. or Commit.	Boundaries							
	Management	Planning/Development	Education	Health	Mental Health	Financial Assistance	Planning	Planning/Development	Employment	Housing	Transportation	Police & Warden	Fire Protection	Highway	Corrections	Judicial	Other	Administrative	Regulatory		County - Counties	RPC	Cluster of Towns	# of Districts	# Regional Offices	
<u>Public Safety</u> State Police												x		x			x				x			x	6	5
<u>Counties</u> Sheriffs Dept.												x					x				x				16	16
<u>Mental Health and Corrections</u> Probation & Parole															x							x			4	4
<u>Defense and Veterans Services</u> Civil Emergency Preparedness																	x				x				16	16
Total - Public Safety												x		x	x	x	x					x	x	x	98	77

### SUBSTATE ACTIVITY BY MAJOR FUNCTIONAL AREA

[illegible]