

PART FF WORKING GROUP
SPO Reorganization
Room 110, 19 Union Street, Augusta
11:00am to 2:00pm

September 28, 2011
Minutes

Members present: David Emery, Chair; Hon. David Bowles, Darryl Brown, SPO; Bob Mavinny, Department of Conservation; Richard Swanson, SPO; Denise Garland, DECD; John Morris, Department of Public Safety; Betsy Fitzgerald, Washington County; Bruce Fitzgerald, MEMA; Patrick Keliher, Department of Marine Resources; Jeanne Paquette, Department of Labor and Patricia Aho, DEP

Staff: Tony Van Den Bossche, Jody Harris, Linda LaPlante

Governor's Office: Jonathan Nass

Public present: Tom Abello, The Nature Conservancy; Nancy Smith, Grow Smart Maine; Pete Didisheim, NRCM; Jen Gray, Maine Audubon; Representative Brad Moulton; Jeff Romano, Maine Coast Heritage Trust; Gerry Mylroie, AICP

- I. David Emery, Chair, opened the meeting and had the members and public introduce themselves.
- II. The minutes from the August 28, 2011 meeting were reviewed and accepted, motion by Betsy Fitzgerald; second; Bruce Fitzgerald. Patricia Aho abstained.
- III. Darryl talked about how we have had small group meetings with the staff of each program to get their input on where their program will be moving. These meetings were very informal and completed by September 7th, just for SPO staff and the management team. After all the small group meetings were held Darryl held an office wide meeting for all of SPO staff.
- IV. David Emery: Review of current positions?

Darryl went through the Preliminary Considerations of the Part FF Working Group.

1. (1) Eliminate the position of Director of SPO
2. (2) Office of Energy – stay with Governor's Office
3. Maine Commission on Community Service – either DECD or Secretary of State
4. (1) Code Enforcement – DECD
5. (3) Flood Plain Management – MEMA
6. (4) Land Use Planning – DECD
7. (4) Land for Maine's Future – Bureau of Geological Services and Natural Areas (DOC)
8. (2) Economics and Demographics – Office of Policy and Management (to be created)
9. (6) Coastal Program – Department of Conservation

- a. Current Office Manager will go with program
 - 10. (4) Waste Management and Recycling – DECD
 - 11. Ownership of Landfills – Bureau of General Services
 - 12. (4) Policy and Management – New Office of Policy and Management (along with 2 Economists), (to be created)
- V. The Subcommittee on Economics and Demographics, consisting of committee members: Darryl Brown, SPO; Denise Garland, DECD; Bill Beardsley, DOC; Linwood Higgins, DOL; Hon. David Bowles, Rep. Brad Moulton, Jen Smith and State Economist, Amanda Rector. The consensus of the group was that the Economics and Demographics should stay with the new entity.

Jon Nass of the Governor’s Office described what Governor LePage would like the duties to be of the new “Office of Policy and Management. The Governor is looking for a tool to better manage all State offices to be more efficient, in the long term. The office will have basically two rolls:

- 1.) Management, long term specific initiatives; and
- 2.) Like the Federal Inspector General, he would like the office to have a role as “secret shopper” and go in to all state offices as a customer to see if we are giving good customer service. The State needs proper oversight.

The Economists will help with long term decisions. The new office may not be big enough so the Governor may call on other department employees for help with the secret shopper.

- VI. David Emery asked for a count of the savings and number of people the proposal would cover.

Darryl asked Tony for a 1-page document that would show Part FF projected savings. This paper shows General Fund savings only. There were some positions permanently eliminated. We also have to factor in the space we now occupy on the third floor of 19 Union St. When the State Planning Office is gone, the space will be available for some other department. The total General Fund savings would be 34% from where we started.

David Emery would like to see the savings broken down more; see the eliminated positions times the number of dollars in savings. Tony will do this and e-mail this out to the members.

Darryl talked then about the other statutory functions that are linked to SPO. Any legislation that says “Energy” would be a better fit in Ken Fletcher’s office. We are on target for the December 1, 2011 legislation. Todd Burrowes of SPO is preparing legislation to eliminate SPO in all statutes. A partial list follows:

- 1. [Title 5, §2003: Maine Library of Geographic Information Board](#)
- 2. [Title 5, §3331: Land and Water Resources Council](#) (LWRC)
- 3. [Title 12, §407: Comprehensive river resource management plans](#)
- 4. [Title 12, §6022\(11\): Commissioner's appointment, duties and powers](#)
- 5. [Title 36, §305: Additional duties](#)

6. [Title 37-B, §1131\(2\): Establishment of commission](#)
7. [Title 38, §480-HH\(3\)\(H\): General permit for offshore wind energy demonstration project](#)
8. [Title 38, §634\(3\): Permit requirements](#)
9. [Title 38, §640: Public participation](#)
10. [Title 5, §57: Maine Regulatory Fairness Board established](#)
11. [Title 5, §7020: Maine Quality of Place Council](#)
12. [Title 5, §13056-D: Communities for Maine's Future Program](#)
13. [Title 5, §13058: Duties and responsibilities of commissioner](#)
14. [Title 5, §13083-T: Riverfront Community Development Program](#)
15. [Title 5, §13090-F: Maine Tourism Commission](#)
16. [Title 5, §13107: Comprehensive research and development evaluation](#)
17. [Title 5, §13171: Maine Council on Poverty and Economic Security](#)
18. [Title 5, §15302: Maine Technology Institute](#)
19. [Title 7, §214\(3\): Coordination of purchases of foodstuffs from Maine concerns](#)
20. [Title 7, §216\(1\): Maine Food Policy Council](#)
21. [Title 10, §918: Corporators](#)
22. [Title 10, §945-B: Members of center](#)
23. [Title 10, §1063: Certificates of approval](#)
24. [Title 26, §2006\(7\)\(C\): Establishment of Maine Jobs Council](#)
25. [Title 30-A, §4350: Community Preservation Advisory Committee](#)
26. [Title 30-A, §6208: Review panel; review and decision on grant applications](#)
27. [Title 38, §1726-A\(4\): Agreement to provide limited services](#)
28. [Title 5, §3307-B: Maine Energy Resources Development Program](#)
29. [Title 5, §3307-C: Definitions; reporting of petroleum inventories and deliveries](#)
30. [Title 7, §2: -- duties](#)
31. [Title 10, §1492\(1\): Definitions](#)
32. [Title 12, §405-A: St. Croix River](#)
33. [Title 22, §676: Coordination and liaison with federal agencies](#)
34. [Title 22, §679-B\(8\): Radioactive Waste Fund](#)
35. [Title 35-A, §4131\(3\)\(C\): Creation of Maine Municipal and Rural Electrification Cooperative Agency](#)
36. [Title 37-B, §742: Emergency proclamation](#)
37. [Title 38, §1480-A: Joint hearings; intervention](#)
38. [Title 5, §298: Capitol Planning Commission](#)

Concerns about the placement of the Census Data Center were raised. Jeanne Paquette asked if the functions go to DOL, how would they get the information. Darryl Brown explained that no snap decisions will be made and that everyone's opinion will be heard.

Patti Aho stated that her department now collects waste management and recycling data and then send it to SPO. She thought some of those functions should be at DEP for duties.

VII. Public Comment: Land Use Planning functions

Representative Brad Moulton said the dynamics of Land Use Planning is not working well. SPO needs to listen to Regional Planning Offices. We need to redesign LUT. Need to provide communication to promote creation of new jobs – planning functions. In the savings generated to the Executive Branch the state should consider increasing funding to RPO's.

Gerry Mylroie, Town Planner of Kittery, spoke to the group about his concerns with the closing of the State Planning office and Land Use Planning. Stated that the state would need to identify the role they have on state level, county level and town level. Need to set some comprehensive direction; what is the State's interest; what does it mean in terms of economic development?

David Bowles: Land Use planning functions need to do planning process anyway; at the local level with assistance of SPO. Need to keep assistance available after SPO goes away. Don't push the costs of comp planning down to county level or town level. The functions SPO provides still have to continue.

Darryl Brown assured the group that the functions are not going away under the current proposal.

Pete Didisheim, NRCM, asked about the meeting of the Coastal Staff and NOAA on coastal Management. He has concerns with the process that the outcome will lose some coordination. He also wanted to know what the functions of the new Office and Policy Management would be: 4 – 6 staff, feels like some state employees will be spying on other state departments; what will that do to moral? Is that a legitimate function of state employees?

Darryl: The meeting was framed around proposals shown today as to where functions may be sent. All proposals will go to the Legislature, but NOAA has the final say in funding. NOAA seemed very happy with the proposals.

Jen Gray, Maine Audubon, Need to put all functions of LUT in the Mission Statement of DECD.

Tom Abello, The Nature Conservancy, asked about the next sub-committee meeting. Will take place Tuesday, October 4th, 10:00am in the Baxter Conference Room at SPO.

Jeff Romano, Maine Coast Heritage Trust; Are there any costs with moving 10 people to DECD?

Darryl – Have not made final decisions yet, but are talking about these points.

VIII. Date for final meeting; will be scheduled soon, 4 – 5 weeks out.

Dave Emery: Procedure used for this meeting – formally take a vote on final plan; treat like a work session and amend vote piece by piece. Do we need 2 more meetings? 1. Go through votes; mark-up session leading to vote and 2. Finalize votes.

John Morris: make presentation – go through in block form.

Darryl Brown will send out preliminary materials and see what group wants to do and hopefully we can wrap up in one meeting.

IX. Adjourn: So moved: Darryl Brown
second: Hon. David E. Bowles

Respectfully submitted,

Linda LaPlante