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A More Responsive Government : A Preliminary Report for Public Review of the Task Force on Regional and District Organizations

Maine Task Force on Regional and District Organizations

Maine State Planning Office

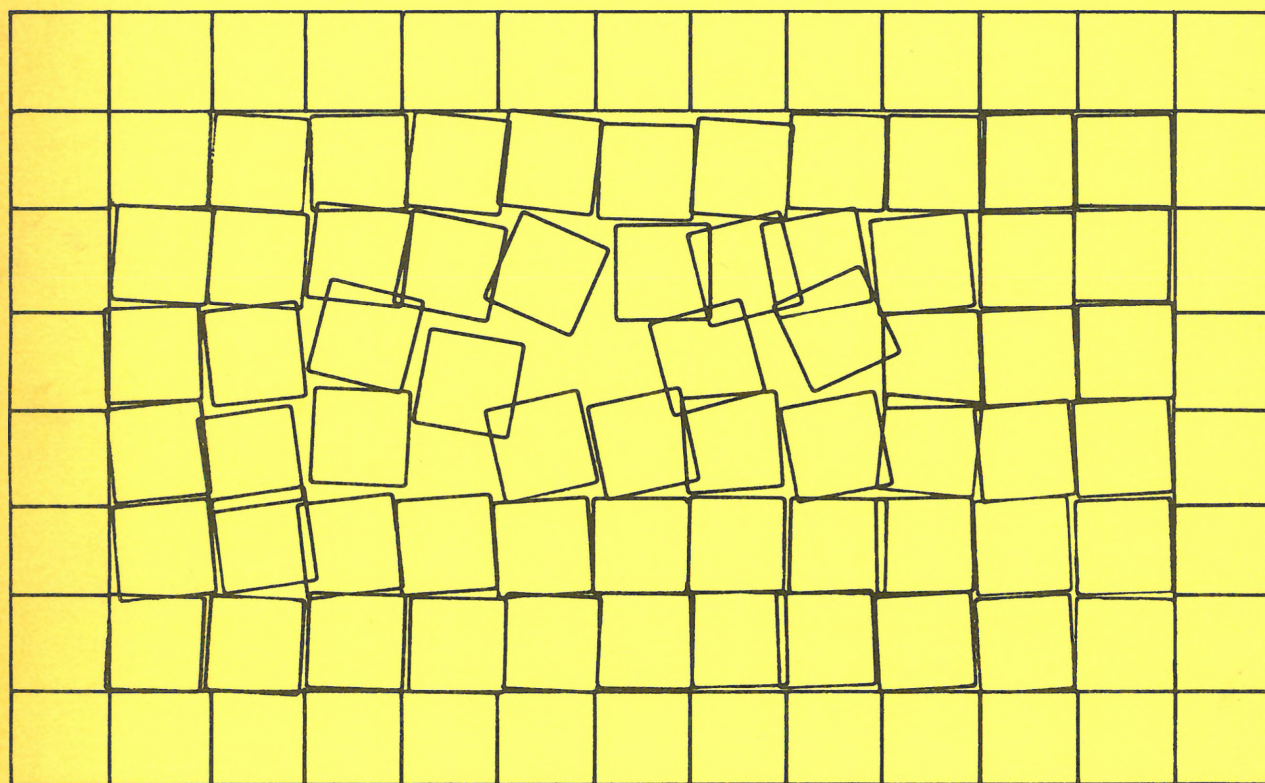
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A MORE RESPONSIVE GOVERNMENT



The Need for a Focus

A Preliminary Report for Public Review
of the Task Force on Regional and District Organizations

July 1978

A MORE RESPONSIVE GOVERNMENT

PRELIMINARY REPORT
OF THE
TASK FORCE ON REGIONAL AND DISTRICT ORGANIZATIONS

JULY 1978



State of Maine

Task Force on Regional and District Organizations

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Robert E. L. Strider
Chairman

Transmitted for public review and comment is the Preliminary Report of the Task Force on Regional and District Organizations. The Task Force, created by Executive Order in October of 1977, is charged with the responsibility of evaluating and recommending improvements to the growing system of substate governmental and quasi-governmental organizations and districts. Such districts include counties, regional planning commissions, state districts and federally supported organizations operating programs or delivering services on a multi-town basis.

The options presented in this report represent suggestions being considered by the Task Force. The Task Force is seeking to develop recommendations that would reduce the number of substate districts in Maine, prevent their further proliferation, and return accountability and responsiveness to mid-level government. After a number of meetings with over 100 officials involved in substate district activities, the Task Force found an array of districts with conflicting and overlapping boundaries engaged in all areas of governmental activity. Simply stated, there is no substate "system," but rather a myriad of organizations attempting to administer and implement numerous programs. The problem is one of fragmentation, lack of coordination, and lack of focus. Within any given region of the State, there generally is no single lead agency with the resources to pull together the pieces.

However, the Task Force has not concluded what structures and institution could resolve the current situation. The comments and input from local officials, private citizens and agency representatives are crucial prior to the submission of our final report this November. We urge interested persons to read the entire document in order to better understand the nature of the options we are presenting. The Task Force will be holding a series of public hearings to provide public input. A schedule of dates and locations of the public hearings is included in this document. We invite your attendance and participation in order that we may have the benefit of your opinions on our proposals. We also urge that you complete the survey found in the back of this document.

The implementation of any of the options in this document would have a significant impact upon Maine's future. We need your participation to develop solutions that reflect the needs and desires of Maine's citizens and make government more responsive.

Thank You

The Task Force on Regional
and District Organizations

TASK FORCE ON REGIONAL AND DISTRICT ORGANIZATIONS

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OFFICE OF
THE GOVERNOR

NO. 6 FY 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

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 multi-jurisdictional remedial action. The possibility of achieving economies of scale in the production of public goods and services also has 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 vary 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. In 1972 Maine created 8 official Planning and Development Districts. 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 has 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 meaningful actions to resolve the growing chaos in substate districting. As in the nation as a whole, the proliferation of such districts in Maine has continued in the late sixties and seventies even though the state does have "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." Needless to say, no one group of individuals will find the solutions to all of the problems. However, with the input 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 that have begun to lose sight of why and for whom they were created. The material presented in this report does not represent the entire body of information collected and analyzed in the early stages of this effort. It is a synthesis of major issues and concepts which are being reviewed by the Task Force in preparation for the submittal of the final report in November of this year. The Task Force needs the advice of the people of Maine in order that the final report will reflect a public consensus as to by whom and how we shall be governed.

I. 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 shall have maximum opportunity to contribute and have input to the study. Staff assistance is being provided to the Task Force by the State Planning Office and all state agencies are directed to assist the Task Force as needed.

II. Task Force Procedure

At the outset the Task Force decided that they 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, it was 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," page 34,

for a complete listing of the agencies and their respective functional areas.

Prior to each monthly Task Force meeting the staff prepared extensive background reports and issue papers pertaining to the particular functional area being reviewed at that time. The "functional area issue papers" were distributed to the appropriate affected agency in advance of each Task Force meeting. At each session representatives from affected organizations were invited to participate, exchange ideas and recommend solutions to the identified problem areas. At the end of the functional meeting in May, the Task Force had met with over 150 individuals representing Federal, State, county, municipal and special district interests. Further, each of the issue papers have been sent to approximately 400 individuals who operate or are interested in substate districts in Maine. Solicited written comments are still being received and summarized by the Task Force staff. In order to verify the accuracy of its data and to fulfill the inventory requirement of the executive order, the Task Force published a report entitled "Preliminary Inventory of Substate Districts in Maine," March 1978. The over 250 page inventory, containing descriptions and maps of the over 350 districts in Maine, has been sent to reporting organizations for data verification. A final inventory will be submitted with the November 1978 report.

This report, therefore, represents input from hundreds of individuals and scores of agencies. Prior to the development of specific proposals to the Governor, the Task Force feels it is essential to solicit more public input into the options being considered. Written, verbal and survey responses will greatly assist the Task Force in choosing those alternatives which best fit the needs and priorities of Maine's residents. It is also important to keep in mind that the alternatives presented do not represent all of the concepts considered but rather they represent a synthesis of

what appears to be desirable and feasible within the Maine social, economic and political context. Certainly, any major new alternative which might emerge from the comment and review process will be given utmost consideration by the Task Force.

III. The Substate District System in Maine: General Inventory Findings

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 more effectively, 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 better meet the needs of our residents.

GENERAL SUMMARY OF THE SUBSTATE DISTRICT SURVEY

During the survey 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, Executive Department; 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

Although the majority of districts have some basis in statute, they do not number substantially more than those created by agency administrative action. The statutory authorizations, however, 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 or state. The parent agency is responsible for policy-making with input from the districts. The districts 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. 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 accountable to a parent organization or the electorate.

The great majority of 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 range from three to over thirty.

Budget

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 administer the programs its parent agency is responsible for and usually no others. The exceptions to the above are the regional planning commissions, community action agencies and economic development districts. In most instances, districts are created for a single purpose. Confusion arises when more than one district in a comparable geographic area provide 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 exist 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 one given agency (Federal or State) ranges from one to 44. While most districts have some form of regional office, 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 safety 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 several other natural resource management areas.

In the Task Force's preliminary analysis a total of 495 functional substate districts have been identified. It is anticipated that the final inventory will contain in excess of 500 functional districts. The few remaining areas are largely special purpose in nature but, in the absence of direct ties to state agencies, require further research and evaluation, e.g. Maine Health System Agency, rural health clinics.

Summary of 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 which they recommend each bureau within the department adhere to. 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, 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. Neither follow county or RPC boundaries, but 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 uses thirteen coastal areas for planning, mapping and data collection purposes. These districts were created to administer the 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.

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 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). In all three districts the basic boundary building bloc is the County. Of the three Districts only Probation and Parole does not have an advisory board. The Mental Health Catchment Areas are the only districts lacking specific legislative authorization. Also, the Federal government is required to approve the Catchment Area designations. Further, the 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 policy input 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 and also has a planning function.

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 funded by the State.

Community and Economic Development

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

The Federal government has statutorily authorized three of the districts used by the Department of Manpower Affairs, while the State has statutorily authorized two. These districts are Job Service Districts, Work Incentive Program Districts, and Unemployment Compensation Districts. Although the same field office is used for the three types of districts, they do not necessarily have the same boundaries, nor do they follow county or RPC boundaries. Advisory committees are used for three of the districts. These districts have limited discretionary authority and are accountable to the department. Their primary responsibility is the implementation of a specific program.

The fourth set of districts, Labor Market Areas, were created by State agency action with federal approval. These districts are primarily used for economic analysis, and employment, unemployment 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 committee exists to implement the common needs for the planning for, and the operation of the occupational information and training programs of statutory members.

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 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 eleven 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 contract. 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 RPCs in the allocation of EDA funds within their respective regions.

The Cooperative Extension Service is a joint program with 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 Criminal Justice 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 is a catchall for those agencies whose services do not fit the previously covered functional breakdowns. The agencies included in the general government section 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. The districts have discretionary authority to the maximum extent possible. Authorization is through State statute. Two advisory groups exist. These branch offices do not have geographic jurisdictions in that clientele use the nearest branch office.

Also included in this section 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. 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

There presently exist in the State eleven regional planning commissions, twelve community action agencies and sixteen counties, all of which have different geographic boundaries, with varied levels of population. Each regional planning commission has an executive board made up of representatives of 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 an 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 both 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 resource planning (in selected RPCs) coastal zone management (selected), transportation planning (selected), solid waste and a variety of other related activities. While a number of 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 formation 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 functions, 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, as activities vary from county to county. 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, such as volunteer fire insurance or Humane Agents, are 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 for 1977 do give 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.

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:

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 Commission

Planning Jurisdiction

Androscoggin Valley

Androscoggin District

Bath-Brunswick (Now the Southern
Mid Coast RPC)

Southern part of Mid-Coastal
District

Greater Portland Council of
Governments

Cumberland District

Hancock County

Hancock County section of
Eastern Maine District

Knox County (Now the Eastern
Mid-Coast RPC)

Eastern Section of Mid-Coastal
District

North Kennebec

Northern part of the Kennebec
District

Northern Maine

Northern Maine District

Penobscot Valley

Penobscot District

Southern Kennebec Valley

Southern part of the Kennebec
District

Washington County

Washington County section of
Eastern Maine District

York County

Southern 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.

Functional Area Substate Issues

The following is a summary of the major issues which the Task Force brought before invited participants. In the development of these issues the major concerns of the executive order creating the Task Force formed the focal point of discussion. These concerns included public accountability and citizen access to the decision making process; duplication and overlap of services; cost effectiveness of the service delivery system, and the degree to which institutional arrangement could or should be reformed. The following are summary concerns and do not reflect the total spectrum of issues addressed by the Task Force. However, they do indicate the nature of concerns raised by the Task Force.

A. Natural Resource Function:

General Issues:

1. Is it feasible for natural resource planning districts and service delivery districts to be coterminous or consolidated?
2. Is the exchange of similar or related information among the natural resource organizations precluded by the overlap or variance in jurisdictional lines?
3. What role does LURC play in the natural resource functional area?
4. To what degree is there agency or organizational interaction concerning the regulatory functions or the enforcement of environmental laws and how does this impact upon the citizen?
5. Does the degree of public access to the decision making process affect the type and quality of services provided as well as the planning efforts undertaken?
6. Would coterminous service delivery regions encompassing all natural resource functions be reasonable and/or feasible? Would it be reasonable and/or feasible to place all natural resource-related field offices in the same area (i.e. one stop shopping)?

7. To what extent does local natural resource activity and planning interrelate with policies, procedures, and regulations adopted by regional and/or state natural resource agencies?

Discussion

Major concerns were expressed regarding the degree to which the variety of organizations involved in natural resource planning and regulation coordinated their activities. It was noted that the relative recent creation of the Department of Conservation, which consolidates many previous independent organizations, and the use of interagency memoranda of agreement alleviated many of the early coordination problems.

Relative to the district boundary issue, it was noted that some agency boundaries are based upon the location of wildlife and specific types of natural resources and that these areas should probably remain as they are. On the administrative side the districts are flexible and could be modified. However, concern was expressed that the real need rests not in developing coterminous boundaries but rather ensuring that citizens have easy access to services and information. While joint boundaries assist in developing a more uniform data base, important for consistent and coordinated decision making, focus should be placed on having central locations where the public can go for permits, service, and information. Differences in the boundaries of the DEP and Department of Conservation may become an issue in creating such a one-stop service center.

Insofar as public input is concerned, it was generally felt that there is more access to the planning process than to the rule making process. It was felt that more informal public contact was needed in order to avoid the problems associated with highly structured public hearings. Further, there needs to be greater coordination among natural resource agencies and those other agencies which impact upon natural resource conservation and development.

B. Human Services Function:

General Issues:

1. In the area of human services, is it feasible and/or practical for state agency service delivery districts to be coterminous or consolidated?
2. To what extent do human service-related programs rely on an areawide approach for clientele?
3. To what extent can the State influence consolidation and coordination of non-profit organization service delivery?
4. To what extent does the practice of sub-contracting of services result in duplication of services in one geographic area while leaving voids in another region?
5. To what extent is there consumer confusion about where to go for service?

(Corrollary question): To what extent can a consumer find comprehensive services in one location?

6. To what extent is there adequate citizen access to the decision-making process?
7. To what extent has the State moved to a comprehensive human service plan with a needs analysis component?
8. Does the contractual service delivery method stimulate service delivery and is it more efficient?
9. How accountable are public and private, non-profit human service organizations?

Discussion

The issue concerning the boundaries or jurisdictions of the agencies involved in human service functions focused primarily on the need to deliver, administer and evaluate service programs effectively. Districts were

considered important to the client because of the fact that most ongoing services require eligibility documentation. By going back to the same office each time a client avoids having to be "recertified" each time he or she needs a service. A concern was voiced that services should be as close to the people as possible without destroying efficiency of administration. These two goals were viewed as not always being compatible. Issues surrounding the delivery of services raised the greatest amount of concern. A move toward a community model was recommended for delivery of service. Boundaries were perceived as being of little importance in defining accessibility. Rather, boundary lines primarily exist for funding and administrative functions. For the many human service programs which require seed money from the local level, the boundary question becomes important. The problem of social service agencies maintaining different boundaries makes it difficult to determine if any one town is getting a fair share of services for its dollars. A coordination of districts was perceived to be desirable.

Human service agencies, both public and private non-profit, rely heavily on a regional or areawide approach for service delivery. Resources and needs exist in different quantities and geographic distributions and, therefore, it makes sense to district around existing facilities and services. The idea of a "one stop shop" at least for client intake, information and referral was supported. Also discussed as possibilities were greater coordination among the agencies; cross-training or education of the personnel who work directly with a client (no matter what the agency or department) so they are knowledgeable of the complete system and able to make referrals; mobile units; consumer education; and a toll free telephone system (WATS) to allow greater client access.

Consumer confusion was not seen to be an issue except for the newcomer to the system and for the person with multiple problems. There is a problem of coordination. It arises when a client has several needs, each of which must be satisfied by a different agency or program. The system of service delivery was recognized as being fragmented both within as well as between departments. There is no comprehensive packaging of services for a client.

For most people in Maine, the service centers are of value. But for rural isolated areas, either non-profit agencies or other such units may be a better alternative. A primary concern is to get the service as close to the people as possible. There is also a strong provision for local control because a non-profit must get 25% matching funds locally and, therefore, must perform to the satisfaction of the community as well as the State. However, because of the variety of programs and jurisdictions towns are confused and yet they must make the decision on the 25% seed money. Another concern is that the emphasis on local control may lead to increased pressure on the property tax, which is already overburdened.

Concern was voiced for a comprehensive human service plan; however, how it was to be developed was disputed. A project by project approach accompanying a funding request and an individual client plan approach were both suggested. A plan with no implementation was considered a waste of money. Lack of concern for, or input from the consumer is detrimental to developing an honest needs assessment.

The system is fragmented with different agencies delivering different services with little coordination. The inability to define a simple service area poses a problem when setting State priorities and allocating resources equitably, factors which are an integral part of planning.

C. Community and Economic Development Function:

General Issues:

1. How vital or necessary is the presence of an overall state policy regarding growth and community and economic development and what implications does the lack of such a policy present?
2. There appears to be no one agency with lead responsibility for coordinating community and economic development activities at the state or substate level.
3. Is there a clear delineation of the tasks of agencies involved in community and economic development activities or are there duplications of function?
4. To what extent is service affected by location of boundary lines and program requirements that exclude certain localities?
5. How does the current matrix of boundaries relate to the delivery of services at the regional level?
6. Regional Planning Commissions have a variety of responsibilities in the planning aspects of community and economic development at the regional level, but little or no implementation authority.
7. There appears to be a lack of coordination among Federal agencies involved in community and economic development activities.
8. The primary relationship in the community and economic development area is the federal-to-town relationship. How does that impact on overall state policy?
9. To what extent can a community develop a comprehensive CED program given the current multitude of agencies and program requirements?

Discussion

This functional area is perhaps the most complicated in terms of intergovernmental involvement. The plethora of Federal, state, regional, local and non-profit agency participation creates a highly fragmented

system. It was noted that strong state and areawide strategies are needed to focus the many programs in this area into a coordinated local community development effort. Currently, no single agency at the state, local or regional level has the responsibility to perform such coordination. Many programs, at the Federal level and within many Federal agencies, are established to address highly related development issues. However, the lack of coordination frequently deters the maximum use of resources. Further, where portions of such plans have been developed there are no mandatory provisions for funding agencies to adhere to such plans. Given the highly competitive nature of many of the funding programs, areas lacking in expertise frequently find themselves excluded from the distribution of community development resources. Major problems appear to revolve around the issues of coordination; state and regional policy development; the need for professional capability in all parts of the state; the need for better information about potential programs; and the need for greater public involvement in the decision making process. If areawide districts were utilized by Federal and state funding sources, it was generally felt that resources could be better matched with needs and that the public would have a point with which to focus concern and input.

D. Public Safety Function:

General Issues:

1. To what extent does the criminal justice planning function interface with county, state and local level law enforcement activity and vice versa?
2. What is the relationship of other agencies and departments having some regulatory powers to the Department of Public Safety and the Sheriffs's departments?

3. Is the county the most efficient unit for law enforcement activities, or are the six police districts more suited to the geographic and physical nature of the state? Should there be a regional police force approach taken?
4. Is the separation of state and county law enforcement at the administrative level the most efficient and effective way of ensuring public safety?
5. To what extent does the current organizational structure of the court result in an overlap of function and responsibility, especially at the county and district level?
6. Would a single law enforcement agency be more efficient or desirable?

Discussion

Jurisdictional issues appeared to be the primary concern in discussions regarding public safety. Jurisdictions of State Police and County Sheriffs are the same since both can be called for assistance in most cases of need. There was strong feeling, however, that while duplication of territorial jurisdiction and legal authority existed, there was minimal service duplication. It appears to be clearly understood that in towns having their own police force the local police are responsible and other units only get involved if there is a request for support. One suggestion was that because of the state and counties having the same territory and functions, there may in fact be administrative duplication by having two separate law enforcement units. But the idea of merging the units administratively was not well accepted.

While administrative issues are not seen as major problems, it is recognized that the public may be confused as to who is responsible for specific law enforcement needs. The Waterville 911 line is perceived as

an efficient way of reducing duplication that can occur from citizen confusion. Under this system a citizen need only to dial 911 no matter what the emergency, since all emergency aide services monitor the calls, and the appropriate department responds. A statewide "911-type" system is advocated.

The existence of other regulatory personnel such as game wardens and coastal wardens is not perceived as a problem to county and state law enforcement agencies. Rather, state and county units perceive themselves as having staff shortages and the additional enforcement officials are welcomed and their respective activities are coordinated.

The relationships of enforcement and planning need improvement. Law enforcement agencies support the planning effort and are especially pleased with coordination efforts that have been initiated via the LEAA program. The "monthly intelligence meeting" is cited as an example whereby information is shared between law enforcement agencies and information about unsolved crimes is pieced together.

A significant degree of sentiment exists for a formal division of territory whereby sheriffs should be responsible for rural areas without local forces; State Police should conduct highway patrol; and local units should be responsible for their respective towns. All units, however, should be able to provide support and back-up assistance to one another.

The concept of a new regional police force was not well accepted. The general consensus was that efficiency may be obtained from consolidation or regionalization but increased effectiveness would not result. However, it should be noted that the Sheriffs are in effect, an areawide or regional law enforcement agency.

Regarding the court system the primary issue raised regarding regions and location of courts is that the caseload should be a primary consideration but appearances are that political factors outweigh needs.

The fact that superior and district court regions do not coincide was identified but the rationale is unclear. Some sentiment exists for a streamlining of the regions and of the filing system so that a person may file a case in the court closest to their home rather than having to go to a specified district.

In summary, there needs to be a clarification of roles between lines of authority of state and county officials. Further, increased training will tend to professionalize enforcement officials and better services should result. The basic issue is more one of at what level of government public safety functions should be performed rather than whether or not the system of boundaries is most effective for law enforcement.

E. Regional Planning Commission and County Function:

General Issues:

1. Does the lack of a stable fiscal base hamper a regional planning commission's activities and effectiveness?
2. Can an agency which is largely federally funded adequately address or respond to local needs?
3. Does the voluntary nature of membership affect a regional planning commission's regional outlook and/or limit a regional planning commission's effectiveness?
4. Given the advisory role of planning commissions and the lack of implementation authority, how does this effect and/or impact both the region as a whole and the municipalities within the region?

5. Does appointment of representatives to the Executive Board of a regional planning commission by member municipalities ensure accountability? Is this an adequate mechanism?
6. Do funds collected by municipalities and those obtained from counties constitute a duplication of dues?
7. Are split Planning and Development Districts viable? Are these regions unique enough to warrant split PDDs? What benefits have been gained by split PDDs and conversely what has been lost?
8. Given the diversity of funding and consequently the degree of service provided between the RPCs, is it possible to ensure equity of service delivery among the regions? What can be done to correct or enhance inequities if they do exist?
9. Should counties have the power of home rule? And if so, what if any restructuring of county government would be necessary?
10. Is there a need for modernization of the governmental process at the county level?
11. Is planning a function of county government as it exists today or is change necessary first?
12. Are 16 counties a realistic subdivision of the state? What other alternatives exist which would include county governments?

Discussion

Considerable Task Force discussion is focused upon counties, regional planning commissions and Councils of Governments (COGs) in that they are the only two "substate districts" which have a statutory base, cover the entire State, and provide multi-purpose functions. The regional commissions and COGs were to have served the functions of the 1972 Executive Order establishing districts in order to coordinate substate activity in Maine. As noted previously, however, the lack of mandatory compliance has

resulted in the proliferation of districts which do not conform to commission districts. As for counties, they are the only districts whose governing body is elected. It was generally felt, however, that none of these organizations, as currently structured, could fulfill the role of coordinating the multitude of programs which operate within their boundaries. Further, unless major structural changes are made, functions which are now local or areawide in nature will continue to be lost to state and federal interests. It was noted that such issues as crime, pollution, housing, transportation and other related problems are not confined to town boundaries. However, there is no areawide organization currently capable of dealing effectively with all of these issues. It was suggested that some entity needs to exist, which is fully accountable to the public and that can bring together and coordinate problems and activities which must be conducted on the areawide level. The need for such an institution was not seen as a luxury but rather as a necessity in order to keep government as close to the local level and the electorate as possible. Therefore, the issues were not seen as how to improve the internal workings of regional planning commissions or counties, rather it was a concern of what areawide institution should exist to bring the multitude of substate activity back into local control. Should this institution both plan for and provide service? How can such an institution be directly accountable to the public? What services now under state or even federal control should be brought back to the areawide level? What should be the fiscal base of such an institution in order to be sensitive to local as opposed to Federal or State needs? What constitutes a region? And, is the public willing to accept major institutional reform?

Summary of Functional Issues

The growing number of state and federal programs coupled with the desire to bring services closer to the citizen and more effectively deliver those services has led to a maze of substate districts, each designed to fulfill a need and serve a clientele. It has become apparent that the fragmentation of state and federal activity at the substate level in all the functional areas has created a complex and confusing array of governments with which the citizen and municipalities are hard pressed to deal. Discussions with many state, federal, and regional officials have indicated that major reform at this level of government is needed. While on an individual agency basis the respective service delivery systems may appear reasonable. However, the local official who must frequently deal with multiple problems is confronted with a maze of competing and uncoordinated Federal, State, regional and non-profit organizations. This same problem holds true for the individual citizen who seeks or is in need of solutions to multiple problems.

The following chart illustrates the number and complexity of substate districts in Maine. A total of 25 federal, state and regional agencies operate 52 types of districts involving 494 subdistricts and 395 regional offices. Governmental functions assigned to the district level include planning for and development of a variety of activities; implementation and administration of programs; delivery of services; and monitoring for data purposes.

The functional approach for examining substate districts and their activity is also used in the chart. Multi-purpose agencies were incorporated into the chart by function, and therefore, may appear more than once (e.g. counties are listed under human service function and the public safety function as they are active in both). Major activities identified

within each functional area were determined through the use of the questionnaires returned by the agencies. Also summarized are the existence of advisory boards, committees or commissions; type of boundaries; the number of districts; and the number of regional offices. There are totals of the number of districts and the number of regional offices at the end of the chart, as well as at the end of each functional area.

In terms of the nature of the district boundaries, several important features should be noted. The first is that with only several exceptions substate boundaries do not follow the official Planning and Development Districts created in 1972. Of the 52 types of districts, only 5 follow Planning and Development District boundaries. Those districts which adhere to county or an aggregation of county boundaries number 19 and tend to fall mainly in the human service area. Finally, 23 types of districts are clusters of towns. Districts rarely violate town boundaries with the exception being in the natural resource function.

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																					16	16
Conservation *Conservation Regions	x	x										x										x	4	4
Parks & Recreation	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	# Regional Offices
Spruce Budworm	x																						1	0
Forest Management	x	x																				x	19	3
LURC	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	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		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</u> Coastal Areas	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			16	16
RC & D	x	x						x												x			4	4
Watershed Projects	x																					x	32	0
Cobbossee River Corridor Commission	x	x																				x	1	1
RPCs Land Use																						x	11	11
Saco River Corridor Commission	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		183	106
<u>Human Services</u>																										
<u>Human Services</u> 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		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
Total Human Services			x	x	x	x	x	x	x	x				x		x					x		x	x	100	93

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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>Community Economic Development</u>																								
<u>Transportation State Maintenance</u>										x			x							x			7	7
Urbanized Area Transportation Study										x										x		x	2	2
<u>Manpower Affairs</u>																								
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	25	3	
<u>State Planning Office</u>																									
RPC		x							x												x		11	11	
Economic Summary Areas										x												x		44	
<u>Economic Development Administration</u>																									
Economic Development Districts																						x	x	3	3
<u>UMO, USDA</u> Cooperative Extension	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
<u>Public Safety</u> Criminal Justice Planning & Assistance Agency Criminal Justice Planning																					x		x		7	7
<u>Judiciary</u> Superior Court																x									16	16
District Court																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

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>General Government</u>																								
Lottery Administrative																		x				x	10	2
<u>Secretary of State</u>																								
Motor Vehicle													x						x				11	11
<u>Total - General Government</u>													x					x	x				21	13
<u>All District Total</u>																							494	395

A RECOMMENDATION TO IMPROVE
THE DELIVERY OF STATE SERVICES

AND

OPTIONS FOR
IMPROVING SUBSTATE DISTRICTS



INTRODUCTION

The options for improving the substate district system in Maine are numerous and complex. However, the Task Force feels that to meet the mandates of the Executive Order major system and institutional changes are in order. The Task Force also feels that unless major reforms are attempted, the State may soon lose its options to growing Federal and State bureaucracies. Once authority is lost it is very difficult to regain. In proposing alternatives for public review several observations should be noted. These observations are reflective of the requirements in the Executive Order and set a general philosophical framework within which options have been developed.

The first substantive mandate requires the Task Force to "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." The Task Force has found that there is little real duplication of services. Instead, the problem is one of fragmentation, lack of coordination and lack of focus, both within and among departments. Simply stated, there is no substate "system" but rather a myriad of organizations attempting to operate and implement numerous programs. Each organization tends to deal with only fragments of a problem which require coordinated solutions. While there tends to be more coordination in the area of physical planning, agencies have frequently chosen to ignore activities in related agencies and to embark upon their own, often highly specialized, responsibilities. Within any given region of the state, there is generally no single lead agency with the resources to "pull together" the pieces. There are too many jurisdictions and too few attempts at coordination. Therefore, the Task Force feels that the need exists to: create a true substate system; more clearly

define responsibilities; create agencies which have the ability and the authority to require coordination and prevent duplication; require federal agencies to adhere to a system designed to meet Maine's needs; and, ensure that a substate system is designed to keep service delivery as close to the local level as possible.

The second area of focus was to "define as clearly as possible those functions that should be administered at the state, municipal or substate level." As noted in previous discussions, substate districts are largely created to fill a void in the service delivery system. The fact that many services and activities are conducted at the areawide level indicates that: (1) neither the ability nor will existed to perform these functions locally; (2) providing the service at the state level would not adequately serve the population; (3) and/or that the problem being addressed was not confined to a municipal level. In allocating functions the Task Force carefully examined the current distribution of services (i.e. who is now performing the service); the Advisory Commission on Intergovernmental Relations' recommendations covering functional assignment; and, the degree to which problems and solutions were multi-town in nature. While the principles of efficiency and economy were used in assigning functions, the Task Force feels that the concepts of equity and accountability are more important in determining functional assignments.

The Task Force was also charged with the responsibility of "recommending procedures and institutions whereby substate district functions will be responsive and accountable to the citizens within their jurisdiction." A basic premise adhered to by the Task Force is that the public should have the opportunity to participate in and react to policy formulation. Further, the public should have the ability to control the decisions of agencies which

affect their lives. There are numerous methods of achieving these goals. One is to create a system whereby all key policy and decision makers are held accountable by the ballot box. Another, which is essentially the basis of our current governmental system, is to have representatives elected by the public who in turn hire professional staff to carry out public policy. A third is to allow already elected officials to appoint representatives to an agency's governing board. Some of the options presented reflect a combination of the methods. However, what is certain is that the multiplicity of substate organizations makes it difficult for the public to know who makes decisions and to hold these agencies accountable. Further, the need exists to carefully balance the need for professional and competent administrators with the goals of accountability.

Finally, the Task Force is required to "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." It is generally felt that by: reducing the numbers of districts; achieving greater coordination; making organizations more accountable; and, clearly establishing areas of responsibility that these goals will have a better chance of implementation. However, it is also felt that even if costs are not or cannot be reduced by reform, that the achievement of a more responsive and accountable system is worth making major structural changes. The options presented do address these concerns but specific legislative proposals will not be drafted until the Task Force has received public comment on the draft options.

In summary, the achievement of the goals outlined in the Executive Order are all mutually related. The minimization of overlap, assignment of functions and the development of a more accountable and responsive system should result in improved quality of services and at least the stabilization

of costs. It is hoped that the options, at least in whole or part, will make major strides toward the development of a more responsive system of government.

The following recommendation and proposed options, while not mutually exclusive, offer several approaches at creating a more responsive, accountable and efficient system of substate government. In most cases, the proposals for reform are extensive and represent a dramatic departure from traditional New England approaches to this problem. However, while departing from tradition in terms of institutional arrangements, the New England and Maine tradition of keeping government as localized as possible is maintained.

The Task Force is not aiming toward a "new" regional government. Instead, it is proposing to examine options rationalizing the multitude of regional agencies which already exists.

RECOMMENDATIONS DECENTRALIZING STATE GOVERNMENT:
STATE MULTI-PURPOSE 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. The concept is firmly recommended by the Task Force and is not to be considered as an option for improving the system of substate districts. The basic concept of decentralization is that 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. However, the districts are not coterminous and field offices, 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. Problems of

the consumer are interrelated, but relief can only be found if one can piece together services organized according to specific functions of the agencies. 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 to impair the effectiveness as well as the efficiency with which the necessary resources are brought to bear on community needs and problems.

There is adequate evidence that most community and individual needs are interrelated; yet, the individual, family or group seeking assistance must still go to a variety of agencies and professionals who deal only with specific pieces of the problem.

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 a statistical and information base for identifying 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 assure that programs are increasingly responsive to the actual needs of the various service communities.

Program Requirement for Effective Implementation

The regional service center system could address itself to the revitalization of the entire service delivery system. In order to accomplish this, the regional 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. Utilize an aggressive outreach process 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.
- 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 intake 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 analyze. However, there are definite centers of economic and social activity in the State which can be identified. Certainly Augusta, Waterville, Portland, Bangor, and Lewiston-Auburn are identifiable centers of activity. In smaller or more remote areas, the use of subcenters should be considered. This is essentially a multi-purpose center but scaled down relative to size and nature of the population to be served. Such subcenters might include areas like 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 warehouse 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 certifications for eligibility, central intake 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. A 1977 State Planning Office study of four optional regional centers in Bangor, Lewiston/Auburn, Portland and Presque Isle indicated that the state is currently leasing scattered office space for agencies for approximately \$1,465,750 per year. However, according to the study, if the state were to build and own a single service center building in these same locations, the annual cost would be \$1,037,575 or an annual savings of \$428,175. Over a 50 year building life the savings to the state (ownership of centers vs. leasing scattered offices) would be at least \$21,000,000. This does not include savings resulting from shared staff and overhead costs nor does it include the fact that leased space will increase in cost during this same time interval. 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) finally chosen by the Task Force for planning and development purposes.

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 drawn a tentative listing as to what level of government, local (urban and rural), areawide, special district, or statewide should perform selected public functions. In drafting this initial list the Task Force has drawn upon criteria developed by the U.S. Advisory Commission on Intergovernmental Relations. 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; that 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. However, it is hoped that any one or part of the two options recommended in this report will achieve 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 currently local authority to be shifted to an areawide unit of government. However, it suggests some transfer of functions that are currently state operated to the county level. In most instances where such transfers are provided for, it is generally 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 substate 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/ Areawide</u>	<u>Special 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/</u> <u>Areawide</u>	<u>Special</u> <u>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 planning	Towns may join together to develop metro program	Planning, Maintenance airports
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 coastal
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

<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 looked 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	Provide or contract	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



OPTIONS FOR IMPROVING SUBSTATE
DISTRICTS

Introduction

The following options are being examined by the Task Force as possible ways of addressing the substate district issue. As noted earlier, other options are possible and have been considered by the Task Force. However, after considerable deliberation it was felt that the two options presented would best fulfill the goals of improving accountability and increasing efficiency at the substate level. It is important to note that the Task Force did not attempt to reconcile or redraw the myriad of substate district boundaries. It is felt 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 many substate units now operating in the state. It is also important to note that both of the following options rely upon county or multi-county boundaries. This was done 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.

OPTION I - MODERNIZING 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 could be 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 recommendations are 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.

Recent legislation has given county governments the authority to hire county administrators and to form county charters. Other steps which could be taken include (1) granting counties the power of home rule; and, (2) revising the budget approval process, granting counties the authority to

review and approve their own budgets. These steps would need to be accomplished if counties are to assume the role of an accountable areawide government.

Instituting mechanisms at the county level which provide a means for more effective, efficient and accountable government are also needed. The Task Force examined several options concerning the structure of county government. Given the trend toward the council-manager form of government at the local level and that counties are a form of local government, the county council approach is a logical option. The county council would be the governing and policy-making body and would consist of 5 to 7 elected council members from single-member districts within the county, on the basis of the one person, one vote rule. The county council approach does not substantially change the governmental process now in place, but rather strengthens the role of the county commissioners by granting them policy-making and budget approval functions. It is felt that by bringing these functions closer to the municipal level increased local control and accountability is assured.

Working in conjunction with the county council is the appointed county administrator. The administrator would be responsible for the day to day operations of government, preparation and submittal of the budget, and general program activity. All presently elected county officials, with the exception of county council members and possibly the county sheriffs would be appointed officials directly accountable to the administrator. If county government is to be responsive to local concerns as well as cost efficient, responsible and professional management is essential.

Detail of A New County Structure

County Councils

The county council would be the governing and policy-making body.

Election: The council would consist of 5 to 7 elected members from single-member districts on the basis of the one person, one vote rule.

Terms would be four years and staggered.

The chair could rotate every two years between the districts; be elected at large, or be elected by the council.

Powers: Policymaking body
Approval of the budget
Appointment of the county administrator
Final approval of department heads
Ability to seek and accept public and private funds
Subject to administrative procedures governing public accountability, e.g. public hearings, etc.

County Administrator

The county administrator would be the chief administrative official, appointed by the Council and would serve at their pleasure or for a set term.

Duties: Prepare and submit budget
Select major county department heads
Responsible for day to day operations
Other studies as determined by county council

Other County Officials and Functions

All presently elected county officials would be appointed by the Administrator with the approval of the Council (Option: Sheriff could remain

elected). Further, all county personnel would be covered by standard civil service rules and regulations.

Specific functions carried out by each county would vary by major geographic areas in the State, i.e. the more urban counties would perform more functions than rural counties. As noted under the section concerning "Assignment of Governmental Functions" a number of new functions are permitted to be operated by county government. These include such activities as: (1) Water supply; (2) Sewage and solid waste disposal; (3) Pollution control; (4) Animal control; (5) Possible administration of some state regulatory functions; (6) Snow removal; (7) Some public health and welfare functions; and, (8) General economic development assistance. Aside from the functions currently being administered by counties, the planning and coordination function would be one of the few new functions mandated to counties. However, most new activities would be given to counties only if it is deemed desirable by local officials and the public.

Financing County Government

Presently county government budgets are approved by the State Legislature. The Task Force feels that this responsibility could be placed at the county level with county councils and the voters having ultimate authority. One of the requirements of the Executive Order creating the Task Force was to recommend procedures and institutions whereby sub-state district functions will be responsive and accountable to the citizens within their jurisdiction. If counties evaluate programs and related services within their jurisdictions, and appropriate money collected within their jurisdictions to fund continuance of these programs, then ultimate determination of the allocation of such funds should rest with the county level of government. In order for county government to be responsive to its citizens and to restore some measure of local control, it is important that

county governments be granted final budgetary authority.

Other methods of financing county government include state/county, federal/county revenue sharing, and the ability to seek and accept other sources of funding. Accountability of state programs could be achieved with little or no increase in cost by transferring down to the county level the delivery of various state programs and reimbursing the county for costs.

With this new authority counties would be federally recognized as units of local governments and consequently eligible for funding under most federal programs. The decision to seek and accept funding from federal sources for areawide concerns and to appropriate the designated match or seed money should be made at the county level and is a viable funding route for selected programs.

Financing Mechanisms

1. County Tax (Options: Property, Income, Sales)
2. State/Federal - County revenue sharing
3. Ability to seek and accept public and private funds
4. Contractual Funds

County Planning Function

The 1972 Executive Order delineating the official State Planning and Development Districts was issued in partial response to federal initiative, and to provide a framework of organization which would eliminate duplication and confusion at the substate level. The Executive Order is not mandatory and few agencies (Federal and State) have felt obligated to adhere to the officially established districts. The result has been an array of districts which generally are not coterminous with Planning and Development Districts and/or counties.

The argument has been put forth that in some instances Planning and Development Districts are too large in area to be as effective as they should be in bringing about municipal cooperation. Sixteen counties may in fact be a reasonable subdivision of the State for certain purposes. The Task Force, therefore, feels that each county could be granted the authority to create county planning departments. The county planning department would assume most of those duties presently being conducted by the regional planning commissions, such as: providing local technical assistance; promoting municipal cooperation in solving problems which are areawide in nature; and serving as staff to the county planning commission. The county planning department would be a division of county government under the general supervision of the county administrator. The administrator would appoint, with approval of the council and the County Planning Commission a planning director.

In order to insure local control and accountability in those policy areas which transcend municipal boundaries, each county would form a county planning commission comprised of representatives of the county council and those municipalities within the county's jurisdiction.

Representation

The County Planning Commission's governing body could consist of the following municipal representation options:

1. As currently designated for regional commissions, or
2. On a one person, one vote basis

The Commission would be chaired by an elected county council member.

Authority

The county planning commission would be advisory in nature to the county council concerning the following duties and responsibilities:

(1) Preparation of County Plan

Each commission would coordinate the development and periodic revision of a plan or plans for the development of the county. Such plans would be designed with the general purpose of guiding and carrying forward such coordinated, effective and economic development of the county, with due respect to its topography, resources and its present needs and future possibilities, as will best promote the health, safety, order, convenience, welfare and prosperity of the people. The purpose of a county plan is to facilitate cooperative efforts toward county development and coordination with local, state and federal planning and development programs. In the preparation of a county plan, the public shall be given maximum opportunity to be heard.

(2) Review and Approval of State Plans

Each state department, commission, board or agency would submit to the Commission all comprehensive plans and programs which will have a significant impact upon the future development of the county or which will impact any service delivery system impacting more than two municipalities within the county. The council, based upon recommendations from the commission, shall complete its review within 30 days after receipt of such programs and plans. A negative review by the Council shall be considered binding upon the respective agency unless such a finding is contrary to state/federal laws and regulations.

(3) Planning Review of Federal Program Grant Application

All applications for federal program grants affecting county planning, coordination and development, shall be submitted

to the council and the commission for review and comment. If the proposal effects only one county and council comment is negative, the State A-95 review shall also include a negative comment,

(4) Subdistrict Program Review

Any agency seeking to fund any program for a district within or which is an aggregate of counties shall be reviewed and approved by the appropriate councils.

(5) Subdistrict Formation

Any council on the advice of the commission, may create within its area of jurisdiction subdistricts for the purpose of further localizing the commission planning related activities and to assist state and federal agencies in determining subdistrict service areas. Municipal representatives may form local subdistrict boards in order to coordinate and provide more local review to planning actions affecting their area. Actions of such boards would be advisory to the commission and council.

Multi-County Districts

In other instances, counties may be too small to effectively deliver areawide services. A sufficient tax and population base is necessary at the substate level in order for costs to be minimally shared and to qualify for certain federal programs. As an example, counties which contain, based upon the most recent U.S. Census estimate, more than 95,000 (option - 40,000) population would constitute a planning and development district officially recognized by the state. Those counties which do not meet the population threshold would determine which county or counties it would affiliate in order to form an official state planning and development district, provided

that the minimum total is in excess of 95,000 (option - 40,000).

Structure

Counties which choose to affiliate with other counties would be required to set up joint working relations to deal with those programs requiring a multi-county approach. Methods might include:

1. Joint County Planning Commission
2. Joint Committees and Agencies
3. Joint Financing of planning staff

If a county(ies) does not meet the population requirement and does not affiliate with another county or counties one year after this requirement becomes effective, then the State could require the county(ies) to affiliate with one or more county(ies) until the county determines its affiliation.

Duties and Responsibilities of Multi-County Commissions

The duties of multi-county commissions would be the same as a single county planning commission.

Summary

If this option is chosen, the Task Force feels that it would not be practicable for new functions to be granted to Counties until their basic structure is modernized. Such reform in the area of governing body composition; methods of professional management; the formulation and approval of County budgets; and, the fiscal base of Counties are prerequisites to the effective and accountable management of the substate service delivery system. Considerable emphasis has been given to the planning and coordination function of the proposed modernized county. This was done

because the development of official and viable districts is at the heart of the substate issue. If accepted, this option could provide for the county assumption of many functions now conducted by other substate organizations. It is felt that the county assumption of these functions would make the current substate system more accountable and responsive to the public.

OPTION II - REFORMED REGIONAL PLANNING
COMMISSIONS

A second option to improve the substate district system is to reform and strengthen the current system of regional planning and service delivery coordination. As noted previously, the current system of Planning and Development Districts was established in 1972 to coordinate federal, state and local activities relative to planning issues. Further, Title 30, Section 4511 of the Maine Statutes indicated that the purpose of a regional planning commission, "shall be to promote cooperative efforts toward regional development, prepare and maintain a comprehensive regional plan, coordinate with state and federal planning and development programs and to provide planning assistance and advisory services to municipalities." The Statutes further give the commissions authority to review and comment on state and federal programs. However, as noted in the inventory of substate districts many Federal and state agencies have ignored the official district boundaries. Currently, there are over 50 separate types of districts and over 400 actual district divisions in the state (not including school, and water and sewer districts). The continued growth of these agencies has prevented regional planning commissions from fulfilling parts of their comprehensive planning mandate and has further eroded the ability of local officials and the public to control and cope with this growing fourth level of government. Planning and coordination is no longer a luxury but rather a necessity. With increased tax burdens and loss of local control over growing substate programs it becomes necessary to restructure the role of the planning districts in order to remedy the current chaos in the system of substate agencies. With the heavy federal funding present in substate organizations it has been difficult to establish local and areawide priorities as opposed to being forced to comply to federal requirements and

priorities. A sound in-state fiscal base is needed in order to permit greater focus on internal needs. Such a base would only require federal support where such federal programs "supplement" local priorities rather than "setting" local priorities. To achieve this sound financial base, planning districts should have a sufficient population base in order that costs can be minimally shared among district residents.

In addition to requiring a sufficient population base, planning district boundaries could be modified to conform to county and/or multi-county boundaries. Given that many federal and state programs use the county as a basis of service provision, data collection and resource allocation, the coordinating agency's boundaries should adhere to county configuration.

Once size and boundaries are resolved it would be desirable that the planning agency have the authority, with local control, of determining how any agency would further district or provide services to that region. The current system of review and comment lacks any binding authority over submitting agencies. Even in cases of strong local opposition it is possible for programs to be implemented. Therefore, the option would call for stronger authority over the review of such programs and further require official district approval of any agency seeking to establish a substate organization within the district's boundaries. In order to assist in greater local input to district-wide decisions the option permits the formation of subdistrict councils in order to make it easier for local communities to meet and to make recommendations to the district governing body.

Finally, in order to assist in preventing the further proliferation of new districts, all regional commissions would be empowered to assume local functions when voted upon by municipalities. This authority is now reserved for Councils of Governments under Title 30, Section 1983 of the Maine Revised Statutes. The basic assumption is that if communities determine that a

designated service must be provided on a multi-town basis an organization will already exist which is capable of performing that service.

In summary, the following option attempts to give greater local control over organizations where local control is now non-existent. In order to achieve this goal, however, it would be necessary to strengthen the authority of the regional commission and require mandatory approvals over other agency actions and to provide a sound local base of funding support for the agency's operation. The following option, while not in strict legislative format, outlines the basic components of the reformed commission. It is important to note that under several sections some sub-options are presented in order that maximum public input is afforded to the nature and composition of the reformed organization.

Regional Planning Commissions

Establishment

Counties containing a total population in excess of 95,000 (option of 40,000) would form a regional planning commission. In counties containing less than 95,000 (option of 40,000) people communities would affiliate with municipalities in an adjacent county(ies) and form a regional planning commission provided that the minimum population is in excess of 95,000 (option of 40,000). The purpose of the regional planning commissions would be to promote cooperative municipal efforts toward an overall regional development strategy, prepare and maintain a regional comprehensive plan, coordinate with state and federal planning and development programs, to provide planning assistance and advisory services to municipalities and to review and approve state plans and programs affecting the communities within its jurisdiction.

Representation (options)

1. The first sub-option is to keep the form of representation as now required in the Maine Statutes pertaining to regional commissions which is as follows:

"The commission's governing body shall consist of representatives of each member municipality appointed by the municipal officers. Municipalities with less than 10,000 population as determined by the last Decennial Census shall have two representatives. Municipalities with populations greater than 10,000 as determined by the last Decennial Census shall have two representatives and an additional representative for each 10,000 increment in population or major part thereof over 10,000. At least one representative for each municipality shall be a municipal officer or the chief administrative official of the municipality or their designee, who shall serve at the pleasure of the municipal officers or until he/she ceases to hold municipal office. All other representatives shall serve for a term of 2 years and may be removed by the municipal officers for cause after notice and hearing. A permanent vacancy shall be filled for the unexpired term in the same manner as a regular appointment.

A regional planning commission may, in its bylaws, provide for voting membership of one or more counties within its regional planning and development district or subdistrict. A county shall have no more than two representatives. The commission may by bylaw provide for one alternate representative for each member municipality or county."

2. A second option is to base the governing board more on a one person, one vote basis. Therefore, board representation would be apportioned on the basis of municipal population. Under this option the representative could still be appointed by the municipal officers and at least one member could be a local official.
3. A third alternative is to keep the one person, one vote system but to have the members elected by the public during and in accordance with normal local election procedures.

Finances (Options)

1. The first option is to base the local contribution on a percentage of the state municipal evaluation.

2. A second option is to assess communities on the basis of population.
3. A third alternative would include either option (1) or (2), but to make additional assessments based upon the demand for individual local assistance.

In either of the options the local contribution should be sufficient enough to cover the basic costs of an operation capable of supporting sufficient staff to meet and fulfill the mandates of the commission.

The commission may accept funds, grants, gifts and services from the United States government and/or its agencies, from the State or its departments, agencies or instrumentalities, from any other governmental unit, and from private and civic sources.

Review and Approval of State Plans

Each state department, commission, board or agency would submit to the Regional Planning Commission all comprehensive plans and programs which would have a significant impact upon the future development of the region or which would affect any service delivery system impacting more than two municipalities within the region. The commission review would be completed within 30 days after receipt of such programs and plans. A negative review by the Commission would be considered binding upon the respective agency unless state/federal laws and regulations would be violated by such action.

Planning Review of Federal Program Grant Application

All applications for federal program grants affecting regional planning, coordination and development, including programs pursuant to Section 204 of the Federal Demonstration Cities and Metropolitan Development Act of 1966 and the Federal Intergovernmental Cooperation Act of 1968 and the objectives set forth in the Federal Office of Management and Budget Circular

A-95, would be submitted to the commission for review and comment. (This function is now being carried out by regional commissions.) If the proposal affects only one region and the comment is negative, the State A-95 review would also include a negative comment.

Subdistrict Program Review

Any agency seeking to fund any programs for a district within or which is an aggregate of Planning and Development Districts would be reviewed and approved by the appropriate commission(s). In the case of a multi-Planning and Development District Organization concurrent District approval is required. The exception is when the denial of such a district would violate state or federal law.

Subdistrict Formation

Any commission may create within its area of jurisdiction subdistricts for the purpose of further localizing the commissions planning related activities and to assist state and federal agencies in determining subdistrict service areas. Municipal representatives may form local subdistrict boards in order to coordinate and provide more local review to planning actions affecting their area. Actions of such boards would be advisory to the Commission.

Other Powers

The commission may, by appropriate action of the governing bodies of the municipalities within its jurisdiction, exercise such powers as are exercised or capable of exercise separately or jointly, by local governments and necessary or desirable for dealing with problems of local concern.

State Districts

Any state agency seeking to establish administrative regions in the state would use an aggregate of Districts, a single District or a portion

thereof, in determining its administrative boundaries. The commission(s) impacted by such state actions would advise the appropriate agency and the Governor of its recommendations within 30 days after receipt of such a proposal.

Other Requirements

While not specified at this time, other provisions governing the operations of the commission such as bylaws, tax status, committee structure, record keeping and so forth would remain the same as is currently required of regional commissions in the Maine Statutes.

Summary

This option would result in the creation of an umbrella organization capable of effectively coordinating substate activity. With its ability to assume and administer local functions, the opportunity exists to greatly reduce the number of substate organizations. While a basic level of activity is mandated, functions and duties could only increase if so voted by local officials. State agencies would be required to organize on the basis of these districts and with increased authority, it is assumed that Federal agencies will also adhere to these districts.

General Summary

The proposed options call for major institutional changes. The Task Force generally 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 it more difficult, if not preclude, the institution of needed reforms. Americans typically act only in a crisis situation. To the Task Force, the unchecked growth in governmental agencies and the loss of direct accountability constitute a crisis situation. On the surface, some of the proposals may seem more cumbersome, costly and complex than the current system. In considering the options, the Task Force balanced the initial confusion of such reform efforts with the longer term need to improve governmental operations. With major changes in place, it is felt that a more effective and accountable system of middle layer government will emerge. Such a mid-level government will be designed to meet Maine's needs and priorities rather than having non-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 identify or even influence how and where these resources will be spent. The placement of accountability into a visible and accountable 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.

Needless to say, the Task Force has not outlined every specific detail in each of the proposals. Only time will permit the proper evaluation of daily operations in order that unique sub-area problems will be resolved with the maximum input of the public. To achieve major reform the Task Force needs a public understanding of the problems and support of problem solutions. This document is meant to be a draft for public review. The suggestions of all interested individuals are welcomed and truly encouraged. It is our intent to be responsive to the concerns of the public and our final report will attempt to take account of the divergent views and concerns which we hope will be generated over this very important issue. 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.

SUMMARY FEATURES OF PROPOSED SUBSTATE DISTRICT OPTIONS*

<u>Features</u>	<u>I. Modernized County Government</u>	<u>II. Reformed RPC</u>
1. Officials	Elected commissioners Appointed administrator and staff (option - elected sheriff)	Executive Board Appointed Director
2. Home Rule	Requires legislative action applicable to all counties	Extends to budget approval only
3. Budget Approval	Approved by County Council	Commission approval of Budget
4. Finances	County taxes, Revenue Sharing, Grants, Contractual funds	% of state valuation; population; additional charges based on demand for services
5. Local Membership	Mandatory	Mandatory
6. Other Functions	See Chart "Assignment of Governmental Functions"	Dependent on appropriate action of municipalities
7. Planning Function	Counties assume this function	Commission retains this function
8. Planning Commission	Counties to form commissions	Reformed
9. RPC	Discontinued	Conform to county boundaries or an aggregation
10. State Plan Review	Review Binding Subject to State and Federal Statutes	Review Binding Subject to State & Federal Statutes
11. Federal Program Review	Review Binding	Review Binding
12. Subdistrict Program Review	Review Binding	Review Binding
13. Subdistrict Formation	May subdistrict	May subdistrict
14. Multi-County Districts	Based on population	Municipalities determine affiliations based on counties
15. Boundaries	County	County
16. Required Implementation	Legislative, Constitutional Administrative	Legislative Administrative

* For specific details concerning each of the proposed options, refer to the appropriate section of this report.

ESTIMATES OF THE POPULATION OF MAINE COUNTIES

July 1, 1976

Maine	1,070,000
Androscoggin	94,100
Aroostook	98,100
Cumberland	203,700
Franklin	25,100
Hancock	39,400
Kennebec	102,000
Knox	32,200
Lincoln	23,700
Oxford	45,200
Penobscot	135,700
Piscataquis	16,700
Sagadahoc	26,200
Somerset	44,500
Waldo	26,900
Washington	34,000
York	122,200

Source: U.S. Bureau of the Census

GLOSSARY

- ACIR - Advisory Commission on Intergovernmental Relations
- AFDC - Aid to Families with Dependent Children
- A-95 - State Clearinghouse Circular, Review of Federal Grant Procedures
- CAP - Community Action Program
- CETA - Comprehensive Employment and Training Act
- COG - Councils of Governments
- DEP - Department of Environmental Protection
- DOT - Department of Transportation
- EDA - Economic Development Administration, U.S. Dept. of Commerce
- EPA - Environmental Protection Agency, U.S.
- EPA 208 - Water Quality Planning Act
- HUD - U.S. Department of Housing and Urban Development
- HUD 701 - Comprehensive Planning and Assistance Program
- LEAA - Law Enforcement Assistance Agency, U.S.
- LURC - Land Use Regulation Commission
- M.R.S.A. - Maine Revised Statutes Annotated
- OMB - Office of Management and Budget, U.S.
- PDD - Planning and Development District
- RPC - Regional Planning Commission
- SPO - State Planning Office
- USDA - U.S. Department of Agriculture

SCHEDULE OF PUBLIC HEARINGS

<u>County</u>	<u>Date</u>	<u>Time</u>	<u>Place</u>
ANDROSCOGGIN	Wednesday August 23	7:30 p.m.	LEWISTON - City Building, 3rd Floor, Room A
AROOSTOOK	Friday August 11 September	7:30 p.m.	PRESQUE ISLE - University of Maine, Folsom Hall, Room 203
CUMBERLAND	Wednesday September 6	7:30 p.m.	SOUTH PORTLAND - Sheraton Inn, Oxford Room, Maine Mall
FRANKLIN	Monday September 11	7:30 p.m.	FARMINGTON - University of Maine, C-23 Learning Center
HANCOCK	Tuesday September 12	7:30 p.m.	ELLSWORTH - Holiday Inn, Hancock Room, Routes 1 and 3
KENNEBEC	Wednesday September 13	7:30 p.m.	AUGUSTA - Civic Center, Penobscot Room, Community Drive
KNOX	Tuesday September 12	7:30 p.m.	ROCKLAND - Recreation Building, Tower Room, Corner of Limerock and Union
LINCOLN	Tuesday August 29	7:30 p.m.	WISCASSET - Municipal Building, Route 1
OXFORD	Wednesday August 30	7:30 p.m.	NORWAY - City Building, 115 Main St.
PENOBSCOT	Thursday September 14	7:30 p.m.	BANGOR - City Hall, 3rd Floor, Council Chambers
PISCATAQUIS	Thursday August 31	7:30 p.m.	DOVER-FOXCROFT - Central Hall, 34 E. Main St.
SAGADAHOC	Tuesday August 29	7:30 p.m.	BATH - City Hall, Auditorium, 55 Front Street
SOMERSET	Wednesday September 6	7:30 p.m.	SKOWHEGAN - Municipal Building, Water Street

<u>County</u>	<u>Date</u>	<u>Time</u>	<u>Place</u>
WALDO	Thursday September 7	7:30 p.m.	BELFAST - City Hall, Council Room, Church Street
WASHINGTON	Wednesday August 30	7:30 p.m.	MACHIAS - University of Maine, Room 30, Torrey Hall
YORK	Tuesday August 22	7:30 p.m.	BIDDEFORD - City Hall, Council Chambers, 205 Main St.

PLEASE RETURN IN THE ENCLOSED PREPAID ENVELOPE

SUBSTATE DISTRICT QUESTIONNAIRE

One of the charges of the Executive Order creating the Task Force on Regional and District Organizations is to provide full opportunity for representatives of the involved agencies, counties, districts, and other interested individuals to provide information and other contributions to the study. The Task Force has already met with over 100 officials from various levels of government in order to better inform ourselves of the substate districting system.

The Task Force has now reached the stage of drafting recommendations. In order to obtain the maximum input possible to this process, the Task Force would appreciate your response to the following questions. The questions are based upon the options presented in this report. Your opinions are crucial if our final report is to reflect the needs and desires of Maine citizens.

1. Primary Affiliation (check one)

Municipal State Regional
 County Other Public Private
 Interested Individual

2. Do you consider the number of districts at the substate level an issue?

Yes No

3. Do you favor reform at the substate level aimed at coordinating programs and district boundaries? Yes No

4. Do you know the number and types of districts in which you reside?

Yes No

5. Do you find the number of districts confusing? Yes No

6. Do you know where to go in order to obtain a needed service?

_____ Yes _____ No

7. Is there a need to make substate district organizations more accountable and responsive to the public? _____ Yes _____ No

8. Of the major Districting options presented, list your preferences by numbering 1 and 2 (1 being of highest preference, 2 of least).

_____ Modernizing County Government (Option I)

_____ Reformed Regional Planning Commissions (Option II)

9. Do you favor the creation of state regional service centers?

_____ Yes _____ No

10. In terms of the assignment of governmental functions, briefly note any changes you would make. (Attach page if necessary.)

The following questions deal with specific aspects of the proposed options. Please indicate your preferences for each of the options even if you support one option over the others. After the questions pertaining to the specific options is another set of questions regarding the general nature of official substate districts.

Option I: Modernized County Government

1. Do you favor modernizing the structure of county government?

_____ Yes _____ No

2. Would you favor the following elements of a modernized county government?

- | | YES | NO | |
|----|-------|-------|--|
| a. | _____ | _____ | Council/manager (administrator) |
| | _____ | _____ | 1. Elected manager |
| | _____ | _____ | 2. Appointed |
| b. | _____ | _____ | 1. Council authority of budgetary approval |
| | _____ | _____ | 2. State Legislative approval |
| | _____ | _____ | 3. Special county level committee approval authority |
| c. | _____ | _____ | County assumption of additional functions |
| d. | _____ | _____ | County assumption of areawide planning functions |
| e. | _____ | _____ | County Planning Commission |
| | _____ | _____ | 1. Policy advisory body |

- | | YES | NO | |
|----|-------|-------|---|
| f. | _____ | _____ | Appointment of all other County Officials |
| | _____ | _____ | 1. All remain elected |
| | | | 2. If no, do you favor election of only some officials; please list those you would wish to remain elected. |

Option II: Reformed Regional Planning Commissions

1. Do you favor strengthening the authority of regional planning commissions?
 _____ Yes _____ No
2. Would you favor the following elements of a reformed regional planning commission?

- | | YES | NO | |
|----|-------|-------|--|
| a. | _____ | _____ | Municipal representation on a: one person, one vote basis |
| b. | _____ | _____ | Mandatory municipal membership |
| c. | _____ | _____ | Changing dues structure |
| | _____ | _____ | 1. to system based on municipal valuation |
| | _____ | _____ | 2. based on municipal population |
| d. | _____ | _____ | Granting RPCs municipal powers when voted on by municipalities |

The following list of authorities are contained in each reform option.
(See Options I or II for description of the authority). Regardless of the reform option you prefer, which of these elements would you favor being carried out by an areawide government.

- | | YES | NO | |
|----|-------|-------|--|
| 1. | _____ | _____ | Review of State Plans and Programs |
| 2. | _____ | _____ | Federal Program Grant Review |
| 3. | _____ | _____ | Subdistrict Program Review |
| 4. | _____ | _____ | Subdistrict Formation |
| 5. | _____ | _____ | Coordination of State and Federal Programs |

Additional comments or concerns you wish to express.

Optional

If you desire to receive future Task Force material or to be contacted for further input to the Task Force review procedure please complete the following:

Name _____

Address _____

Phone # _____



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