

## CHAPTER 14-A

## CAPITOL PLANNING COMMISSION

**§297. Declaration of policy**

The Legislature, in view of the need for effective planning to accommodate the governmental agencies of the State of Maine located in Augusta, and the possibility that a continuing increase in these needs may eventually make the construction of additional buildings and the enlargement of the state capitol grounds necessary, declares that it is the policy of the State of Maine that the development of the Capitol Area shall proceed with economy, careful planning, aesthetic consideration and with due regard to the public interests involved. [PL 1971, c. 544, §12 (AMD).]

## SECTION HISTORY

PL 1967, c. 458, §1 (NEW). PL 1971, c. 544, §12 (AMD).

**§298. Capitol Planning Commission**

The Capitol Planning Commission, established by section 12004-I, subsection 75, shall administer this chapter and perform such other duties as may be prescribed by law. [PL 1989, c. 503, Pt. B, §12 (AMD).]

The commission consists of 9 members as follows: [PL 1999, c. 127, Pt. A, §3 (AMD).]

**1. Commissioner of Agriculture, Conservation and Forestry.** The Commissioner of Agriculture, Conservation and Forestry, or the commissioner's designee; [PL 2011, c. 655, Pt. JJ, §1 (RPR); PL 2011, c. 655, Pt. JJ, §41 (AFF); PL 2011, c. 657, Pt. W, §6 (REV).]

**2. Councilor.** A member of the Augusta City Council to be appointed by the Mayor of Augusta, with the advice and consent of the Augusta City Council, for a term of one year; [RR 2023, c. 2, Pt. B, §40 (COR).]

**3. Residents.** One resident of the Capitol Planning District and 2 residents of the City of Augusta, who may not be residents of the Capitol Planning District, to be appointed by the Governor for terms of 5 years; and [PL 2005, c. 123, §1 (AMD).]

**4. Members-at-large.** Four citizens of the State, who may not be residents of Augusta, to be appointed by the Governor for terms of 5 years; except that the first appointed member must be appointed for a term of one year. [PL 2005, c. 123, §2 (AMD).]

Each appointed member serves for the term of the member's appointment and thereafter until the member's successor is appointed and qualified. A vacancy must be filled for the unexpired term in the same manner in which the original appointment is made. The members of the commission must be compensated as provided in chapter 379. [RR 2023, c. 2, Pt. B, §41 (COR).]

The members of the commission shall elect a chair, who shall preside at all meetings of the commission when present. The commission shall meet at least once every 4 months and in addition may meet as often as necessary, at such times and places as the chair may designate. Any 3 members constitute a quorum for the exercise of all powers of the commission. The commission may employ, subject to the Civil Service Law, such assistance as may be necessary to properly carry out the duties of the commission. [RR 2023, c. 2, Pt. B, §42 (COR).]

The Director of Public Improvements serves as the secretariat of the commission in exercising its administration. The commission may, in accordance with the Maine Administrative Procedure Act, chapter 375, adopt and enforce rules as it determines necessary, except rules relating to the State Capitol Building under the jurisdiction of the State House and Capitol Park Commission, as it determines necessary for the purposes of carrying out this chapter. These rules have the force of law. [PL 1993, c. 361, Pt. A, §1 (AMD).]

Among these rules and regulations, the commission shall adopt and promulgate regulations governing the height, setback, location of driveways, exterior design and materials, landscaping, location of parking and parking ratio of parking area to building area of all buildings erected or reconstructed within the Capitol Area of the City of Augusta, provided that the regulations shall not apply to the erection, reconstruction or repair of buildings which are used for residential purposes and do not exceed 8 dwelling units. [PL 1979, c. 598, §1 (RPR).]

#### SECTION HISTORY

PL 1967, c. 458, §1 (NEW). PL 1971, c. 615, §5 (RPR). PL 1973, c. 622, §1 (RPR). PL 1975, c. 470, §2 (AMD). PL 1977, c. 78, §11 (AMD). PL 1977, c. 513, §§1,2 (AMD). PL 1979, c. 108, §§1,2 (AMD). PL 1979, c. 598, §1 (AMD). PL 1983, c. 812, §§15,16 (AMD). PL 1985, c. 785, §B20 (AMD). PL 1987, c. 816, §EE3 (AMD). PL 1989, c. 503, §B12 (AMD). PL 1993, c. 361, §A1 (AMD). PL 1999, c. 127, §A3 (AMD). PL 2005, c. 123, §§1,2 (AMD). PL 2011, c. 655, Pt. JJ, §1 (AMD). PL 2011, c. 655, Pt. JJ, §41 (AFF). PL 2011, c. 657, Pt. W, §6 (REV). RR 2023, c. 2, Pt. B, §§40-42 (COR).

#### §299. Duties of the commission

The commission shall establish and maintain a master plan for the orderly development of future state buildings and grounds in the Capitol Area of the City of Augusta, with the exception of the State House and the grounds specified in Title 3, section 902-A. In maintaining the master plan, the commission shall take the following factors into consideration: [PL 2003, c. 510, Pt. A, §2 (AMD).]

**1. Building location and design.** The needs of the State relative to the location and general design of buildings to be constructed, parking facilities, traffic management, service approaches, park areas and landscaping, including the placement of statues, monuments, fountains and other items of decoration as may be deemed desirable for the beautification of the Capitol Area. [PL 1967, c. 458, §1 (NEW).]

**2. Ordinances and regulations.** The ordinances, plans, requirements and proposed improvements of the City of Augusta, including, but not limited to, zoning regulations, population trends, plans for highway development and the desirability of preserving the integrity and aesthetic qualities of Capitol Park. [PL 1967, c. 458, §1 (NEW).]

**3. Other factors.** Any other factors which bear upon the orderly, integrated and cooperative development by the State and the City of Augusta of property in the area of the State Capitol. [PL 1967, c. 458, §1 (NEW).]

**4. Cooperation and information exchange.** The Capitol Planning Commission, the State House and Capitol Park Commission and the Office of the Governor shall exchange information on a regular basis, at least 2 times each year, concerning the plans, proposals and activities of each organization with respect to the facilities and grounds at the seat of government. Each organization shall cooperate with the others and coordinate their efforts. [PL 1989, c. 410, §16 (NEW).]

#### SECTION HISTORY

PL 1967, c. 458, §1 (NEW). PL 1971, c. 615, §14 (AMD). PL 1973, c. 622, §2 (AMD). PL 1975, c. 647, §1 (AMD). PL 1987, c. 816, §EE4 (AMD). PL 1989, c. 410, §§15,16 (AMD). PL 2003, c. 510, §A2 (AMD).

**§300. Advice and assistance to commission**

The commission may request the assistance and advice of any state agency in the development of the master plan. Any state agency receiving such a request shall render such assistance and advice to the commission. [PL 1975, c. 647, §2 (AMD).]

SECTION HISTORY

PL 1967, c. 458, §1 (NEW). PL 1971, c. 615, §14 (AMD). PL 1975, c. 647, §2 (AMD).

**§301. Cooperation with city officials**

The commission shall inform the City of Augusta of the master plan, and subsequent revisions thereof, and shall make every effort to cooperate with appropriate city officials to the end that the development efforts of the State and the City of Augusta may be integrated and proceed without friction. [PL 1975, c. 647, §3 (AMD).]

SECTION HISTORY

PL 1967, c. 458, §1 (NEW). PL 1971, c. 615, §14 (AMD). PL 1975, c. 647, §3 (AMD).

**§302. Submission of plan to Legislature**

The commission shall submit the completed plan to the Legislature for adoption as the official state master plan for the development of state buildings and grounds in the Capitol Area. From time to time the commission may submit such additions and amendments as it deems necessary to the Legislature for adoption and inclusion in the official state master plan for the development of state buildings and grounds in the Capitol Area. [PL 1975, c. 647, §4 (AMD).]

SECTION HISTORY

PL 1967, c. 458, §1 (NEW). PL 1971, c. 615, §14 (AMD). PL 1973, c. 622, §3 (AMD). PL 1975, c. 647, §4 (AMD).

**§303. Capitol Area**

The area established and described under Title 1, section 814 for acquisition and use by the State is designated as the Capitol Area. The master plan shall be a guide for future state policy in the expansion of the State's physical plant and in the locating of state buildings and other public improvements in the Capitol Area. [PL 1967, c. 458, §1 (NEW).]

SECTION HISTORY

PL 1967, c. 458, §1 (NEW).

**§304. Approval of construction projects**

A construction project may not be initiated in the Capitol Area for the development of state buildings and grounds following the adoption of the plan or amendments and additions thereto by the Legislature without the approval of the Legislative Council, the Bureau of General Services and the commission of the proposals and plans for the project. [PL 2011, c. 691, Pt. B, §6 (AMD).]

SECTION HISTORY

PL 1967, c. 458, §1 (NEW). PL 1969, c. 590, §76 (AMD). PL 1971, c. 615, §14 (AMD). PL 1973, c. 622, §4 (AMD). PL 1973, c. 788, §15 (AMD). PL 1975, c. 647, §5 (AMD). PL 2011, c. 691, Pt. B, §6 (AMD).

**§305. Report**

The commission shall report biennially to the Joint Standing Committee of the Legislature which is assigned jurisdiction over the subject of State Government facts and recommendations relating to the work and needs of the commission. The report shall list the construction projects initiated, completed and proposed during the next biennium in the Capitol Area since the last report. The commission shall recommend such revisions of the plan as from time to time become necessary or desirable for the orderly development of the Capitol Area. [PL 1979, c. 598, §2 (AMD).]

#### SECTION HISTORY

PL 1967, c. 458, §1 (NEW). PL 1971, c. 615, §14 (AMD). PL 1975, c. 647, §§5-A (AMD). PL 1979, c. 598, §2 (AMD).

#### §306. Contributions

The commission may accept gifts, bequests and federal funds for purposes consistent with the objectives of this chapter. Such gifts and bequests shall be used solely to carry out the purposes for which they were made. [PL 1975, c. 647, §6 (AMD).]

#### SECTION HISTORY

PL 1967, c. 458, §1 (NEW). PL 1971, c. 615, §14 (AMD). PL 1975, c. 647, §6 (AMD).

#### §307. Interest in contracts prohibited

In addition to the limitations of section 18, an employee of the Department of Administrative and Financial Services or member of the commission may not be interested directly or indirectly in any contract or contracts calling for the construction or improvements of facilities, buildings and grounds in the Capitol Area in the City of Augusta as described in Title 1, section 814. [PL 2007, c. 466, Pt. A, §6 (AMD).]

#### SECTION HISTORY

PL 1967, c. 458, §1 (NEW). PL 1971, c. 615, §6 (AMD). PL 1973, c. 622, §5 (AMD). PL 1979, c. 734, §3 (AMD). PL 1985, c. 785, §A34 (AMD). PL 2007, c. 466, Pt. A, §6 (AMD).

#### §308. Establishment of memorial to Civilian Conservation Corps

The Capitol Planning Commission shall construct and maintain a memorial dedicated to the Civilian Conservation Corps in honor of those who served and in recognition of their contributions to the State. The memorial must be located and constructed in accordance with a plan approved by the Capitol Planning Commission and the Legislative Council. Subject to available funding, the memorial must be completed by October 1, 2000. In addition, construction of the memorial must be in accordance with the following provisions. [PL 1999, c. 747, §1 (NEW).]

**1. Location.** The memorial must be located immediately west of the main entrance to the Cultural Building that houses the Maine State Library, the Maine State Museum and the Maine State Archives in the State House complex.  
[PL 1999, c. 747, §1 (NEW).]

**2. Memorial design and inscription.** The memorial must be of a design that is the same or similar to the memorial erected by the State of Michigan to honor the Civilian Conservation Corps. It must be a bronze casting approximately 6 feet in height of a Civilian Conservation Corps worker and must be placed on an elevated base constructed in whole or in part of stone or other natural materials. The area adjacent to the memorial must be landscaped with natural plantings following completion of the memorial.

The memorial must have a bronze plaque placed upon it on which is inscribed the following or similar language as determined by the Legislative Council:

"In Honor Of The Young Men Of The Civilian Conservation Corps Who Changed the Face Of Maine From 1933 To 1942 By Building Parks, Roads, Trails, Forests And Citizenship, Leaving A Lasting Legacy To The Conservation Of Natural Resources For Which All Citizens Of Maine Owe A Debt Of Gratitude."

[PL 1999, c. 747, §1 (NEW).]

**3. Funding.** The Capitol Planning Commission may accept state and local funds, gifts and other contributions to be used solely to carry out the purposes of this section. All contributions or other funds received must be reported in writing to the Legislative Council at least quarterly. The Capitol Planning Commission shall make use of the services provided by the Maine Conservation Corps within the Department of Labor as feasible and appropriate.

[PL 1999, c. 747, §1 (NEW).]

**4. Maintenance of historical and educational information.** The State Archivist shall maintain and make available to the public a listing of persons who served in the Civilian Conservation Corps in Maine, if known, including the periods of service and projects on which they worked. In addition, the Director of the Maine State Museum shall develop and display an educational plaque regarding the memorial and the Civilian Conservation Corps and its accomplishments in this State in the main entrance to the Cultural Building. Funds received by the Capitol Planning Commission pursuant to subsection 3 may be used to pay the costs of developing the plaque.

[PL 1999, c. 747, §1 (NEW).]

#### SECTION HISTORY

PL 1999, c. 747, §1 (NEW).

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