

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and First Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with the Revised Statutes of 1954, Chapter 10, Section 27, Subsection VI.

The Knowlton and McLeary Company
Farmington, Maine
1963

PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE

As Passed by the One Hundredth Legislature

At The

SPECIAL SESSION, November 27, 1961

to

December 2, 1961

prescribed by law for taking depositions in civil actions in the Superior Court. In case of disobedience on the part of any person to comply with any subpoena issued in behalf of the committee, or on the refusal of any witness to testify to any matters regarding which he may be lawfully interrogated, it shall be the duty of the Superior Court of any county, or of the judge thereof, on application of a member of the committee, to compel obedience by proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein. Each witness who appears before the committee by its order, other than a state officer or employee, shall receive for his attendance the fees and mileage provided for witnesses in civil cases in courts of record, which shall be audited and paid upon the presentation of proper vouchers sworn to by such witness and approved by the secretary and chairman of the committee.

Sec. 4. Report. The committee shall report its findings and recommendations to the 101st Legislature.

Sec. 5. Appropriation. There is appropriated from the Unappropriated Surplus of the General Fund the sum of \$2,000 to carry out the purposes of this act. Said appropriation shall not lapse but shall remain a continuing carrying account until June 30, 1963.

Effective March 3, 1962

Chapter 247

AN ACT Providing for Construction of an Educational Television Network for the State of Maine and the Issuance of not Exceeding One Million Five Hundred Thousand Dollars of State of Maine Bonds for the Financing thereof.

Preamble. Two-thirds of both Houses of the Legislature deeming it necessary in accordance with Section 14 of Article IX of the Constitution of Maine to authorize the issuance of bonds of the State for construction of an educational television network for the State of Maine.

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

Sec. 1. Committee on Educational Television. There is created a Committee on Educational Television for the purpose of facilitating the development of educational television in this State. The Committee on Educational Television shall consist of 7 members to be appointed by the Governor with the advice and consent of the Council. At the time of the first appointments, one shall be appointed for one year, one for 2 years, one for 3 years, 2 for 4 years and 2 for 5 years, and thereafter for a full term of 5 years. One member of the committee shall be a representative of the State Department of Education, one member of the committee shall be a representative of the University of Maine and the remaining members shall be citizens of the State of Maine. Any vacancy in the membership of the committee shall be filled for the unexpired term by appointment by the Governor with the advice and consent of the Council. Members of the committee shall be reimbursed for their actual expenses necessarily incurred in the performance of their duties.

Sec. 2. Organization. The committee shall elect a chairman, secretary, vice-chairman and treasurer, each of whose terms of office shall be 2 years. The

committee shall adopt such by-laws, rules and regulations, for the calling and holding of meetings and the administration of its affairs, as it deems appropriate and necessary to effectuate the purposes of this act. A majority of the membership of the committee shall constitute a quorum for the purposes of transacting business.

Sec. 3. Powers and duties. The Committee on Educational Television is empowered and authorized to act as follows:

I. Recommendations. To make such recommendations to the trustees of the University of Maine as it deems necessary relating to the appointment of professional, clerical or other assistants, location of educational television stations and construction and equipment of said stations necessary to carry out the purposes of this act.

II. Programs. To give its advice and consent to the trustees of the University of Maine for the educational television programs to be transmitted by the network.

Sec. 3-A. Gifts. The Governor and Council is authorized to accept any gift of money, real or personal property, from any source whatsoever, and grants-in-aid from the Federal Government to assist in carrying out the purposes of this act.

Sec. 4. Construction of state-wide educational television network. The University of Maine is authorized to acquire real estate, construct, operate, manage and equip transmission and microwave television facilities and to interconnect with any other television network or station within or without this State for the purpose of providing a state-wide educational television network for the transmission of educational television to pupils in the schools, colleges, university and adult audiences throughout the State; and the University of Maine is authorized to enter into contracts for the construction of said facilities, contracts for personal services necessary for the management and operation of said facilities and any other contracts deemed necessary to carry out the purposes of this act.

Sec. 5. Promotion of political and governmental activities prohibited; penalty for violation. None of the facilities, plant or personnel of any educational television system which is supported in whole or in part by state funds shall be used directly or indirectly for the promotion, advertisement or advancement of any political candidate for any municipal, county, state or federal office or for the purpose of advocating or opposing any specific program, existing or proposed, of governmental action which shall include, but shall not be limited to, constitutional amendments, tax referendums or bond issues. Any person convicted of a violation of any provision of this section shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than 11 months, or by both.

Sec. 6. Disbursement of bond proceeds. The proceeds of the bonds authorized under this act shall be expended under the direction and supervision of the Director of the Bureau of Public Improvements in the following amounts: For state-wide transmission and microwave facilities — \$1,039,028; for microwave interconnection with Eastern Educational Network, Boston — \$60,000; for studio facilities in Orono — \$250,000; to provide for increased costs of equip-

ment since 1960 report — \$50,000; for organizational and operations costs, July 1, 1962 to June 30, 1963 — \$100,972. Total appropriation — \$1,500,000. Such appropriation shall not lapse, but shall remain a continuing carrying account until the purposes of this act have been accomplished.

Sec. 7. Issue of bonds to provide for construction, repairs, equipment, supplies, furnishings, organization and management. The Treasurer of State is authorized, under the direction of the Governor and Council, to issue from time to time serial coupon bonds in the name and behalf of the State to an amount not exceeding \$1,500,000 for the purpose of raising funds to provide for such construction, repairs, equipment, supplies, furnishings, organization and management as authorized by this act. Said bonds shall be deemed a pledge of the faith and credit of the State. Said bonds shall not run for a longer period than 10 years from the date of the original issue thereof.

Sec. 8. Records of bonds issued to be kept by State Auditor and Treasurer. The State Auditor shall keep an account of such bonds, showing the number and amount of each, the date of countersigning, the date when payable and the date of delivery thereof to the Treasurer of State, who shall keep an account of each bond, showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of sale and the date when payable.

Sec. 9. Sale, how negotiated; proceeds appropriated. The Treasurer of State may negotiate the sale of such bonds by direction of the Governor and Council; but no such bond shall be loaned, pledged or hypothecated in behalf of the State. The proceeds of the sales of such bonds, which shall be held by the Treasurer of State and paid by him upon warrants drawn by the Governor and Council, are appropriated to be used solely for the purposes set forth in this act.

Sec. 10. Interest and debt retirement. Interest due or accruing upon any bonds issued under this act and all sums coming due for payment of bonds at maturity shall be paid by the Treasurer of State from any money in the treasury not otherwise appropriated.

Sec. 11. Contingent upon ratification of bond issue. Sections 1 to 10 of this act shall not become effective unless and until the people of the State of Maine shall have ratified the issuance of bonds as set forth in this act.

Sec. 12. Referendum for ratification. The aldermen of cities, the selectmen of towns, and the assessors of the several plantations of this State are empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of Senators and Representatives, at a special election to be held on the 3rd Monday of June, 1962, to give in their votes upon the acceptance or rejection of the foregoing act, and the question shall be:

“Shall a bond issue be ratified for the purposes set forth in ‘An Act Providing for Construction of an Educational Television Network for the State of Maine and the Issuance of not Exceeding One Million Five Hundred Thousand Dollars of State of Maine bonds for the Financing thereof,’ passed by the First Special Session of the 100th Legislature?”

The inhabitants of said cities, towns and plantations shall indicate by a cross or check mark placed within a square upon their ballots their opinion of the same, those in favor of ratification voting "Yes" and those opposed to ratification voting "No" and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings, and return made to the office of the Secretary of State in the same manner as votes for Governor and Members of the Legislature, and the Governor and Council shall count the same and if it shall appear that a majority of the inhabitants voting on the question are in favor of this act, the Governor shall forthwith make known the fact by his proclamation, and this act shall thereupon become effective in 30 days after the date of said proclamation.

Secretary of State shall prepare ballots. The Secretary of State shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing act, accompanied by a copy thereof.

Effective March 3, 1962

Chapter 248

AN ACT to Authorize Enfield and Lowell to Join a School Administrative District.

Emergency preamble. Whereas, there is vital need for safe and adequate school facilities in the Towns of Enfield and Lowell; and

Whereas, the school programs of the 2 towns could be improved and more efficiently and economically operated; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine, and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

P. & S. L., 1961, c. 94, amended. The first paragraph of chapter 94 of the private and special laws of 1961 is amended to read as follows:

'The municipalities of Greenbush, Greenfield, Howland, Maxfield, Passadumkeag, LaGrange, **Enfield, Lowell** and Seboeis Plantation are exempted from the limitations provided in the Revised Statutes of 1954, chapter 41, section 111-E, as amended, and the Maine School District Commission is authorized to proceed pursuant to sections 111-F to 111-U to take the necessary action to allow the municipalities of Greenbush, Greenfield, Howland, Maxfield, Passadumkeag, LaGrange, **Enfield, Lowell** and Seboeis Plantation to form a school administrative district.'

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.

Effective December 2, 1961