

# MAINE STATE LEGISLATURE

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REVISED STATUTES  
OF THE  
STATE OF MAINE  
1954

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1963 CUMULATIVE SUPPLEMENT

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ANNOTATED

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**Discard Previous Supplement**

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THE MICHIE COMPANY  
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## Chapter 38-A.

### Department of Economic Development.

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**Legislative intent.**—Section 9 of the act which added this chapter reads as follows: “It is the intent of the legislature that the powers and duties of the Maine development commission are hereby transferred to, and shall hereafter be exercised and performed by, the department of development of industry and commerce. Said commission shall transfer to said department all property, records and other data now in its custody. With respect to the year end closing at June 30, 1955, all encumbered balances of the Maine development commission shall be credited to the department and all appropriations to the commission made by the 97th legislature

shall be credited to the department. In the transition from the development commission operation to the department of development of industry and commerce operation, the legislature intends that the personnel of the commission shall be transferred to the department in such generally similar job responsibilities as may be consistent with the efficient organization of the department.

“It is further the intent of the legislature that the department shall assist, and be assisted by, the Maine publicity bureau in accordance with the provisions set forth in section 1 of chapter 22 of the private and special laws of 1937.”

### Organization.

**Sec. 1. Commissioner.** — The department of economic development, as heretofore established and hereinafter in this chapter called the “department” shall be under the supervision and control of a commissioner of economic development, hereinafter in this chapter called the “commissioner.” He shall be appointed by the governor with the advice and consent of the council for a term of 4 years and shall hold office until his successor is appointed and qualified.

The commissioner may be removed by the governor and council. Any vacancy in said office shall be filled by appointment for a like term in the same manner as hereinbefore provided.

He shall receive such salary as the governor and council may determine. (1955, c. 471, § 1. 1957, c. 123, § 1. 1963, c. 417, § 1.)

**Effect of amendments.**—Prior to the 1957 amendment a department of development of industry and commerce was created by this section. The 1957 amendment substituted “the department of economic development, as heretofore established” therefor and changed the name of the former department to “department of economic development” wherever it ap-

peared in the section.

The 1963 amendment substituted “commissioner of economic development” for “commissioner of department of economic development” in the first sentence of the first paragraph and deleted “for cause” at the end of the first sentence of the second paragraph.

**Sec. 2. Powers and duties.** — The commissioner may employ division directors, deputies, assistants, industrial development specialists and such other employees as may be necessary, subject to the personnel law; employ or engage with the approval of the governor and council such outside technical or professional consultants as may be necessary or appropriate to assist the department in

carrying out its functions; and may enter into contracts with other boards, commissions, departments and divisions of the state or with the University of Maine to assist him or any division of the department in carrying out this chapter.

The commissioner shall hold staff meetings with the division directors monthly or more often as deemed necessary for ascertaining progress and discussion of new and current programs. The division directors shall hold similar staff meetings with the personnel of their respective divisions.

The commissioner shall organize a division of research and planning, a division of industrial promotion, a division of vacation travel promotion, a division of publicity and public relations and a division of geological survey.

The commissioner is authorized and empowered to accept for the state any federal funds apportioned under federal law relating to urban planning and planned public works and to do such acts as are necessary for the purpose of carrying out such federal law; and to accept from any other agency of government, individual, group or corporation such funds as may be available in carrying out the provisions of this chapter.

The commissioner shall submit an annual report on or before January 15th of the department's activities and expenditures to the governor, members of the legislature and the general public. (1955, c. 471, § 1. 1957, c. 123, §§ 2, 2-A, 3. 1963, c. 417, § 2.)

**Effect of amendments.**—Prior to the 1957 amendment the former second paragraph of this section authorized the employment of a state geologist and provided his duties. The 1957 amendment inserted the former second paragraph and also made changes in the former third paragraph by substituting "division of industrial development" where "division of development" appeared, and by inserting "a division of publicity and public relations and a division of geological survey."

The 1963 amendment substituted "division directors, deputies, assistants, industrial development specialists and such other employees" for "such division chiefs, deputies, assistants and employees" near the beginning of the first paragraph, deleted the former second and third paragraphs and substituted the present second and third paragraphs therefor, added the present fifth paragraph, and made other minor changes.

**Sec. 3. Cooperation with others.**—The several officers, boards, commissions, departments and divisions of the state, and city and town officials may consult with the department and furnish or make available to it data and information within their knowledge or control. (1955, c. 471, § 1.)

### Division of Research and Planning.

**Sec. 4. Powers and duties.**—The division of research and planning shall be empowered to:

**I.** Compile and maintain information useful to the development of all industries of the state concerning resources, sites, space, equipment, adequate housing, contracts, materials, transportation, markets, labor supply, population trends and other economic considerations.

**II.** Study specific problems peculiar to the industry and economy of Maine with a view towards the broader utilization of our natural resources and the development of new and improved industrial products and techniques, which studies shall be advanced by coordination of research with existing private and governmental agencies and education institutions, and may be advanced by contractual relations with persons or organizations familiar with the problems and equipped to conduct the needed research.

**III.** Study specific problems relating to agriculture and sea and shore fisheries, cooperating with the departments of agriculture and sea and shore fisheries and other existing governmental and private agencies in the development of new products and techniques which will tend to improve the economic condition of those engaged in these two endeavors.

**IV.** Assist in the preparation of reports upon request from the governor or any state department.

**V.** Prepare evidence and supporting data on types of industry on which special efforts should be made to locate them in Maine, with special attention to the possibilities in the fields of electronics, nuclear energy, plastics, and other industries based on recent technological developments.

**VI.** Prepare and from time to time revise and perfect a master plan for the physical development of the state. Such master plan, with any accompanying maps, plats, charts and descriptive matter, shall be designed with the general purpose of guiding and carrying forward such coordinated, effective and economic development of the state, 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. Among other things such master plan shall tend to bring into suitable relation the use of land, soil, water and natural resources; the location and distribution of population and habitation; agriculture and forestry; recreational resources, facilities and opportunities; fishing and mining; trade and industry; ports, highways, railways, airways and every form of transportation, travel and communication; public institutions of every description, whether publicly or privately supported; water supply and disposal of sewage; and all such other developments and uses as will tend to avoid waste of the human, financial and physical resources of the state and to promote the above purposes.

**VII.** Act as the coordinating agency between the several officers, boards, commissions, departments and divisions of the state in matters relative to the physical development of the state, including the Maine port authority and Maine aeronautics commission, and review the proposals of said agencies in the light of their relationship to the master plan and incorporate the results of such reviews in the reports of the department; provided, that nothing in this section shall be construed as limiting the powers and duties of any officer, board, commission, department or division of the state.

**VIII.** Assist in planning and executing any public or private project involving federal grants or loans; advise, confer and otherwise cooperate with municipal planning boards, agencies, officials, civic and other groups and citizens in matters relating to urban renewal, zoning, and planning relating to schools, housing, health, land use controls, assessment and taxation, and other objectives; initiate, encourage and assist local planning boards and other municipal agencies and officials in regional planning and urban renewal. (1955, c. 471, § 1. 1959, c. 359, § 2.)

**Effect of amendment.**—The 1959 amendment rewrote subsection VIII of this section, adding the provisions relative to urban renewal.

### Division of Industrial Promotion.

**Sec. 5. Powers and duties.** The division of industrial promotion shall be empowered to:

**I. Promote and attract new industry.** Implement a program designed to promote and attract new industry and coordinate these activities with the efforts of public, private and other agencies.

**II. Solicitation for industrial prospects.** Devise, initiate and prosecute an aggressive system of solicitation of and assistance for industrial prospects without the state, and prospects for industrial expansion within the state, utilizing field representatives and technicians in cooperation with citizens' groups, service organizations, chambers of commerce, and regional and municipal agencies and officials.

**III. Office or offices for information.** Maintain an office or offices without the state for the receipt and dissemination of information concerning the attraction of new industries to the state.

**IV. Assistance to local communities.** Promote the industrial development efforts of local communities by assisting in the formation of industrial foundations in cooperation with local agencies.

**V. Negotiation and assistance for existing industry.** Negotiate directly with existing industries seeking expansion within the state and providing them with technical assistance, with special emphasis in aiding the retention of an existing industry which might relocate outside of Maine.

**VI. Markets for existing business.** Help existing business to find markets, domestic or foreign, for their products.

**VII. Publicity and promotion.** Utilize such publicity and promotion as needed to attract new industries to Maine.

**VIII. Brochures, pamphlets, etc.** Prepare and print such brochures, pamphlets and all like materials as are deemed necessary to assist in the attraction of out-of-state industrial prospects. (1955, c. 471, § 1. 1957, c. 123, §§ 3-A, 4, 5. 1963, c. 417, § 3.)

**Effect of amendments.**—The 1957 amendment inserted the words “industrial” in the name of the division in the first paragraph, repealed former subsection IV, and renumbered former subsections V to VII to read “IV”, “V” and “VI”.

The 1963 amendment substituted “promotion” for “development” in the name of the division in the first paragraph, sub-

stituted “Implement a program designed to promote and attract new industry” for “Promote the welfare of existing industry and the location of new business” at the beginning of subsection I, inserted “or offices” near the beginning of subsection III, and added present subsections VII and VIII.

#### Division of Vacation Travel Promotion.

**Sec. 6. Powers and duties.**—The division of vacation travel promotion shall be established to promote the recreational facilities of the state.

The director shall organize his staff with specific assignment of personnel for the promotion of recreational areas, conventions and tourist attractions.

The division is empowered to:

**I. Advertise recreational resources.** Advertise and publicly set forth and display the recreational resources, attractions and activities of the state.

**II. Development and promotion.** Encourage and assist in the development and promotion of the recreational resources and facilities of the state by cooperating with other state agencies and public and private organizations.

**III. Data; cooperation.** Utilize the data prepared and gathered by the division of research and planning and the division of industrial promotion, and cooperate with these 2 divisions in the advancement of the general well-being of the state.

**IV. Assistance.** Assist the division of publicity and public relations in the publication and providing of written publicity materials as set forth in section 7. (1955, c. 471, § 1. 1963, c. 417, § 4.)

**Effect of amendment.**—The 1963 amendment changed the name of the division from division of recreational promotion to division of vacation travel promotion, inserted the present second paragraph, sub-

stituted “division of research and planning and the division of industrial promotion” for “divisions of research and planning and development” in subsection III, and added subsection IV.

#### Division of Publicity and Public Relations.

**Sec. 6-A.** Repealed by Public Laws 1963, c. 417, § 5.

**Editor’s note.**—The repealed section, which related to the duties of the division of publicity and public relations, derived

from P. L. 1957, c. 123, § 6. See § 7 of this chapter for present provisions re division of publicity and public relations.

**Division of Geological Survey.**

**Secs. 6-B to 6-D.** Repealed by Public Laws 1963, c. 417, § 5.

**Editor's note.**—Repealed § 6-B, relating to the state geologist, derived from P. L. 1957, c. 123, § 6. Repealed §§ 6-C and 6-D, relating to the geological survey publication fund and the printing and sale of publications, derived from P. L. 1957, c. 374, and had been amended by P. L. 1959, c. 293. See § 8 of this chapter for present provisions re division of geological survey.

**Division of Publicity and Public Relations.**

**Sec. 7. Powers and duties.**—The division of publicity and public relations shall disseminate information setting forth the commercial, agricultural, industrial, fisheries, recreational, labor market and other facilities and advantages of the state.

The division shall encourage and assist in the development and promotion of the recreational resources and facilities of the state by cooperating with other state agencies, and public and private organizations.

The division shall prepare and print such brochures, pamphlets and all like materials as are deemed necessary to assist in the attraction of out-of-state vacation prospects.

The division shall operate and maintain the state of Maine building, previously erected upon the grounds of the Eastern States Agricultural and Industrial Exposition, Inc., at West Springfield, Massachusetts, for the purpose of exhibiting, publicizing and advertising Maine's products and resources in agriculture, industry, fisheries, forests, wildlife and recreation. The division shall have complete control and supervision of all exhibits held in such building. (1963, c. 417, § 6.)

**Editor's note.**—Former § 7 of this chapter was repealed by P. L. 1963, c. 417, § 5. The repealed section, which related to the composition of an advisory board, derived from P. L. 1955, c. 471, § 1, and had been amended by P. L. 1963, c. 346, creating a department of economic development advisory council.

**Division of Geological Survey.**

**Sec. 8. State geologist.**—The commissioner may employ a state geologist to serve at the pleasure of the commissioner. The state geologist shall perform such duties as shall be required of him by law or assigned to him by the commissioner, and he shall act as division director.

**I. Geological survey publication fund, established.** There is established within the division of geological survey a revolving fund for the use of the division to cover printing and distribution costs for geological and related technical literature.

**II. Printing and sale of publications.** The commissioner is authorized to fix the price at which publications of the Maine geological survey may be sold and delivered. The department shall receive without charge 10% of all such publications for complimentary distribution.

**III. United States government publications.** The commissioner is authorized to fix the price at which United States geological survey and other United States government maps, charts and other publications may be sold and delivered, provided such publications are specifically authorized for resale by the originating agency and are specifically concerned with technical information on the state of Maine.

**IV. Income from sale of publications.** Income from the sale of publications shall be credited to the revolving fund to be used as a continuing carrying account to carry out the purpose of subsection I. (1963, c. 417, § 6.)

**Editor's note.**—Former § 8 of this chapter was repealed by P. L. 1963, c. 417, § 5. The repealed section, which related to the duties and privileges of an advisory

board, derived from P. L. 1955, c. 471, § 1, which had been amended by P. L. 1963, c. 346, which provided for the duties and

privileges of the department of economic development advisory council.

### State Museum.

**Secs. 8-A, 8-B.** Repealed by Public Laws 1963, c. 417, § 5.

**Editor's note.**—The repealed sections, which related to the state museum, derived from P. L. 1957, c. 376, § 1. See c. 36, § 34-B, for present provisions re a state museum.

P. L. 1957, c. 376, which inserted former §§ 8-A and 8-B, provided in § 2 thereof

as follows: "There is hereby appropriated from the general fund the sum of \$25,000 for the fiscal year ending June 30, 1958 and \$10,000 for the fiscal year ending June 30, 1959 to reestablish, equip and maintain the state museum."

### Building at Eastern States Exposition.

**Sec. 9.** Repealed by Public Laws 1963, c. 417, § 5.

**Editor's note.**—The repealed section, which related to the operation and maintenance of the state of Maine building at the Eastern States Agricultural and In-

dustrial exposition, derived from P. L. 1955, c. 471, § 1. See § 7 of this chapter for present provisions re operation and maintenance of the building.

### Persons of Baltic Origin.

**Secs. 10, 11.** Repealed by Public Laws 1963, c. 417, § 5.

**Editor's note.**—The repealed sections, which related to the settlement in this

state of persons of Baltic origin, derived from P. L. 1955, c. 471, § 1.

## Chapter 38-B.

### Maine Industrial Building Authority Act.

**Editor's note.**—P. L. 1957, c. 421, adding this chapter, provided in section 2 thereof as follows:

"Sec. 2. Appropriation. For the establishment of the mortgage insurance fund, there is hereby appropriated \$500,000 from the unappropriated surplus of the general fund.

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved." Approved October 31, 1957.

P. L. 1957, supplements the Enabling

**Act.** — Chapter 430 of P. L. 1957 supplements the M. I. B. A. Enabling Act, P. L. 1957, chapter 421 in matters of detail and has no life or purpose apart from the Enabling Act. *Martin v. Maine Savings Bank*, 154 Me. 259, 147 A. (2d) 131.

**General plan not altered by chapter 430.** —The general plan established by the legislature in the Enabling Act is not altered by chapter 430. *Martin v. Maine Savings Bank*, 154 Me. 259, 147 A. (2d) 131.

**Sec. 1. Title.**—This chapter shall be known and may be cited as the "Maine Industrial Building Authority Act." (1957, c. 421, § 1.)

**Sec. 2. Purpose.**—It is declared that there is a state-wide need for new industrial buildings to provide enlarged opportunities for gainful employment by the people of Maine and to thus insure the preservation and betterment of the economy of the state and its inhabitants. It is further declared that there is a need to stimulate a larger flow of private investment funds from banks, investment houses, insurance companies and other financial institutions including pension and retirement funds, to help satisfy the need for housing industrial expansion. Therefore, the Maine industrial building authority is created to encourage the making of mortgage loans for the purpose of furthering industrial expansion in the state. (1957, c. 421, § 1.)