

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
FIRST SPECIAL SESSION

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ONE HUNDRED AND SEVENTH LEGISLATURE

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**Legislative Document**

**No. 2223**

S. P. 699

In Senate, February 18, 1976

Referred to Committee on State Government. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Huber of Cumberland.

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SIX

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**AN ACT to Promote Efficiency in Maine State Government.**

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**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the measures embodied in this Act will improve the efficiency of State Government; and

Whereas, this Act, in part, would restore the much needed authority on the part of the Bureau of Lands to sell excess fixtures, which authority was inadvertently repealed by the public laws of 1975, chapter 339; and

Whereas, this Act contains several other proposals intended to improve the management and promote better government; 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:

**Sec. 1.** 1 MRSA § 72, sub-§ 28, 2nd and 3rd sentences, as amended by PL 1971, c. 439, § 4, are repealed and the following enacted in place thereof:

**When the signature of a person is required, he must write it or make his mark, but the signatures upon all commissions or the signatures on interest coupons annexed to a corporate bond or other corporate obligation may be facsimiles, engraved or printed.**

Sec. 2. 1 MRSA § 501-B is enacted to read:

§ 501-B. Sale of publications and documents

A revolving and nonlapsing fund may be established for, and within, an agency for the use of that agency to offset costs of acquiring, printing and distributing educational, informational, promotional or technical publications, documents and other material, including, but not limited to, advertisements, books, booklets, brochures, catalogs, exhibits, displays, films, maps, pamphlets and photos. Income from the sale or resale of such publications, documents and other material by an agency shall be credited to the agency's revolving fund to be used as a continuing carrying account by the agency.

Each agency is authorized, subject to the approval of the Department of Finance and Administration, to specify which publications, documents and materials originated by the agency shall be issued without charge and which shall be sold for a fee. Each agency is further authorized, subject to the approval of the Department of Finance and Administration, to establish for those publications and materials which are to be sold such fees as are both appropriate and reasonable.

Each agency is also authorized, subject to the approval of the Department of Finance and Administration, to establish fees for the sale or resale of educational, informational, promotional and technical publications and materials issued by the agency but originated by other public or private agencies or organizations, provided that the publications and material to be sold are directly related to the purposes of the agency and that such sale or resale and fee is specifically authorized by the originating agency or organization.

The Department of Finance and Administration is authorized to establish appropriate criteria, procedures, standards and regulations relating to this section.

Sec. 3. 5 MRSA § 8-C, last sentence of the first ¶, as enacted by PL 1971, c. 588, is amended to read:

Meals purchased and prepared for institutional or school use may be sold to ~~an employee~~ **employees** or to **visitors** based on the actual total cost of purchasing, preparing and serving such food or food supplies. **In the case of institutions and schools operated by the Department of Mental Health and Corrections, income derived from the sale of meals shall accrue to the General Fund.**

Sec. 4. 5 MRSA § 8-D, as enacted by PL 1971, c. 588, is amended to read:

§ 8-D. Income

Any income derived from the operation of housing or food facilities, or both, under sections 8-B and 8-C, shall accrue to whatever fund pays for such facilities, **unless otherwise provided for by statute**; if it is a General Fund account, the income shall accrue to General Fund; if it is a special revenue account, the income shall accrue to that account.

**Sec. 5.** 12 MRSA § 531, sub-§ 1, as enacted by P&SL 1971, c. 91, § D, § 1, is amended to read:

1. **Geologic information.** Gather and compile geologic information of both the bedrock and surficial features of the State; present this information in printed maps and reports for the general public and the mining industry; assist existing mining operations in the State; and promote the development of the mineral potential of the State; **provided that the director shall charge fees sufficient to defray the costs of providing such data to commercial users thereof. Such fees shall be paid into a separate account to be established by the Treasurer of State for such purposes, and such account shall not lapse, but shall continue from year to year;**

**Sec. 6.** 12 MRSA § 531, sub-§ 7 is enacted to read:

7. **Enter into contracts.** The Director of the Bureau of Geology may, upon terms and conditions he deems reasonable, and with the approval of the Commissioner of Conservation, enter into contracts with persons, corporations and other legal entities, to provide services related to geological exploration and mapping. The proceeds of any such contract shall be disbursed in accordance with subsection 1 and shall be available for the furtherance of any of the purposes for which the bureau has been established.

**Sec. 7.** 30 MRSA § 4162, sub-§ 4, ¶ D, as last amended by PL 1975, c. 623, § 46-A, is further amended to read:

**D.** Lease campsites, garages, depots, warehouses and other structures, or sites for the same, for a term of years not exceeding 5; grant options to renew such leases for a further term of years not to exceed 5 in the case of a commercial camp which in the opinion of the director requires such option to secure adequate financing for the maintenance or improvement of facilities located upon public reserved land; and in the case of leases acquired by the State on lands exchanged for public reserved lands, shall authorize, upon reasonable terms and conditions, the transfer of leasehold interests from a lessee of a residential campsite to another; **and sell storehouses and other structures and fixtures surplus to the needs of the bureau;**

**Sec. 8. Authorization for sale of surplus property.**

The Director of the Bureau of Public Lands, Department of Conservation, is authorized to lease, sell or otherwise convey the interest of the State in a certain parcel of land located in the City of Bangor, County of Penobscot and described as follows:

Beginning at the southeast corner of land of P. Rudnicki on the north line of the Interstate 95 right of way; thence northerly along said Rudnicki's land 485 feet, more or less, to a point on the southerly line of land of B. Wolstein; thence easterly 857 feet, more or less, along said Wolstein's land to the northwesterly right of way line of Interstate 95; thence southwesterly along said Interstate 95 right of way line 997 feet, more or less, to the point of beginning, upon such terms and conditions as he deems reasonable; provided, however, that the said director shall have no authority to convey drainage rights of

Interstate 95 and that the conveyance is subject to approval by the Governor and Executive Council.

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

#### STATEMENT OF FACT

Enactment of this bill would achieve the following:

- 1) Allow employees of state institutions and visitors to those institutions to purchase meals at those facilities;
- 2) Authorize the use of a facsimile signature on commission certificates;
- 3) Authorize state agencies to sell selected publications to the public and to credit the sales income to an account established expressly for that purpose;
- 4) Allow the Bureau of Public Lands to dispose of surplus fixtures. Such authority was inadvertently repealed during the 107th legislative session;
- 5) Allow the Bureau of Geology to enter into contracts and agreements to provide unique geological service to organizations outside the agency and to receive money for providing these services; and
- 6) Allow the Bureau of Public Lands, with the approval of the Governor and Executive Council, to sell or lease a 4.7 acre parcel of surplus land in Bangor.