

# MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

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N I N E T I E T H            L E G I S L A T U R E

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**Legislative Document**

**No. 1205**

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S. P. 593

In Senate, January 13, 1942,

Referred to Committee on Salaries and Fees, sent down for concurrence and 600 copies ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Sanborn of Cumberland.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-TWO

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**AN ACT Providing for Appropriations and Adjustments in Salaries and  
Fees Made Necessary by the War.**

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**Emergency preamble.** Whereas, a state of war exists between the United States and Germany, Italy, Japan and other foreign countries; and

Whereas, in the judgment of the legislature this fact creates an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine and requires 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. Emergency pay-roll fund.** There is hereby appropriated the sum of \$75,000 for the fiscal year ending June 30, 1942, and \$180,000 for the fiscal year ending June 30, 1943, to be paid into a fund to be known as **Emergency Pay-roll Fund**. This fund is to be administered by the governor, and whenever it shall be found necessary, in order to carry out the provisions of section 2, the governor may order to be transferred to any department or agency of state government such funds as will enable such

department or agency to carry out the provisions contained herein; it being further understood that this fund shall be available only to those departments and agencies that are operated by general fund appropriations, and all adjustments that shall be made in any department or agency supported by special revenues shall be made within the limits of the moneys available for the operation of those departments and agencies of state government.

**Sec. 2. Salary adjustments.** On February 2, 1942, or as soon thereafter as may be deemed wise by the governor, all permanent employees of the state government shall be granted an increase in salary in accordance with the following scale: permanent employees earning up to and including \$30 per week, 10% increase; permanent employees earning \$31 to \$50, inclusive, per week, 7½% increase; permanent employees earning \$51 to \$120, inclusive, per week, 5%.

This section shall apply to salaries of all state officials that are fixed by statute or order of the governor and council or under regulation of the state personnel law, which fall within the above salary scales, except that the employees of the institutions of state shall not be included, as maintenance is provided to practically every state employee in the institutions, and these employees are therefore not affected by increased living costs in the same manner as other employees. In case maintenance is not provided by the institution, then adjustment will be made in those cases on recommendation of the commissioner of institutions and the state personnel board to the governor. The provisions of this section shall not apply to any person receiving retirement pay.

**Sec. 3. Emergency mileage fund.** There is hereby appropriated the sum of \$12,500 for the fiscal year ending June 30, 1942, and \$30,000 for the fiscal year ending June 30, 1943, to be known as **Emergency Mileage Fund**. This fund is to be administered by the governor, with the advice and consent of his council, and whenever it shall be found necessary, in order to provide additional funds to meet the change in mileage allowance to employees operating personally-owned vehicles, in accordance with the provisions of law, the governor, with the advice and consent of his council, may order to be transferred to any department of state government such funds as will enable the department to carry out the provisions contained herein; it being further understood that this fund shall be available only to those departments that are operated by general fund appropriations, and all adjustments that shall be made in any department supported by

special revenues shall be made within the limits of the moneys available for the operation of those departments and divisions of state government.

**Sec. 4. P. L., 1939, c. 220, amended.** Chapter 220 of the public laws of 1939, as amended by chapter 92 of the public laws of 1941, is hereby further amended to read as follows:

**'Sec. 1. Payment per mile for use of privately owned automobiles, regulated.** The state shall hereafter pay for the use of privately owned automobiles for travel by employees of the state in the business of the state not more than 5c per mile for the first 3,000 miles actually travelled by such employees on such business in any 1 fiscal year, not more than 4c for each mile exceeding 3,000 ~~and not exceeding 7,000, and not more than 3c per mile for all such travel in excess of 7,000 miles,~~ provided, however, that the state shall pay inspectors of seed potatoes 5c for every mile so travelled.'

**'Sec. 2. Discontinuance of state owned cars, exceptions.** After January 1, 1940, the state shall provide no automobiles for travel of employees; provided, however, that this section shall not apply to the governor, the state police, department of inland fisheries and game, nor to such heads of departments or members of commissions as the governor and council may from time to time designate. Nothing herein contained shall be deemed to preclude the maintenance of a reasonable and proper number of state owned cars to be operated from the state garage, **and these cars may be assigned on a temporary basis to employees of the state upon application to and on approval by the state purchasing agent, notwithstanding the provisions of the preceding sentence.'**

**Sec. 5. R. S., c. 11, § 77, amended.** Section 77 of chapter 11 of the revised statutes, as amended, is hereby further amended to read as follows:

**'Sec. 77. Duties of fire wardens and deputy wardens; employment of assistants.** The chief forest fire wardens, under the direction of the commissioner, shall have general supervision of their respective districts and of the deputy forest fire wardens therein. Each chief forest fire warden, when directed by the commissioner, shall patrol the forests of his district for the purpose of searching out, extinguishing and guarding against forest fires. He shall investigate and gather evidence regarding the causes of forest fires, enforce all laws relating to forests and forest preservation, arrest all violators thereof, prosecute all offenses against the same, and in this connection shall have the same power to serve criminal processes against such offenders and shall be allowed the same fee as a sheriff, or

his deputy, for like services, and shall have and enjoy the same right as a sheriff to require aid in executing the duties of his office. The chief forest fire wardens shall perform such other duties, at such times, and under such rules and regulations as the said commissioner may prescribe, and each shall receive as compensation ~~four dollars~~ \$5 for each and every day of actual service, with an allowance for actual necessary expenses of travel. Deputy forest fire wardens shall perform such duties, at such times and under such rules and regulations, as the commissioner, or the chief fire warden of the district, with the approval of the commissioner, may prescribe. They shall receive as compensation ~~three dollars~~ \$4 for each and every day of actual service, with an allowance for actual necessary expenses of travel.'

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