

MAINE STATE LEGISLATURE

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Acts and Resolves

As Passed by the

Seventy-Ninth Legislature

OF THE

STATE OF MAINE

1919

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Ninth Legislature

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court as to how he executed its order; provided, however, that all moneys so seized shall be declared forfeited to the county in which they were seized, and in all cases where an officer may seize tools, machines, dies, plates or materials provided for making counterfeit or spurious coin, or for forging bank notes or other instruments; burglars' tools or implements prepared or designed for burglary; lottery tickets or materials for a lottery or procured for the purpose of a lottery; gambling apparatus or implements for gambling and all moneys therein contained, upon a warrant, he may seize the same without a warrant and keep them in some safe place for a reasonable time until he can procure such warrant.'

Approved March 26, 1919.

Chapter 102.

An Act Providing for the Preparation of the State Budget; Creating a Committee on Budget; Prescribing Its Powers and Duties; Making an Appropriation to Defray the Expenses of this Committee; and Repealing Sections Ninety-two, Ninety-three, Ninety-four and Ninety-five of Chapter Two of the Revised Statutes.

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

Sec. 1. Budget committee created; personnel, duties, compensation; expenditures authorized; to meet and organize in July, 1920. The governor, state auditor, state treasurer, the chairman of the committee on appropriations and financial affairs on the part of the senate and the chairman of the committee on appropriations and financial affairs on the part of the house of the Maine legislature are hereby constituted a committee to be known as the committee on budget. In case of inability to serve on the part of any of said persons the vacancy shall be filled by the governor by appointment from the membership of the legislature. The governor shall be the chairman of the committee and the auditor its secretary. The board shall meet and organize in the executive chamber at the state capitol, on the third Tuesday in July, nineteen hundred and twenty. The secretary shall keep the minutes of the committee and shall record them in a suitable book to be kept for that purpose in the office of the state auditor. The minutes of the committee shall be a public record and shall at all times be open to public inspection. The members of the committee shall be paid the necessary expenses incurred in the performance of their duties under this act, and in addition thereto the chairman of the committee on appropriations and financial affairs on part of the senate, the chairman of the committee on appropriations and financial affairs on the part of the house, and any member of the committee who shall serve by appointment of the governor shall receive five dollars a day for the time actually spent in the performance of his duties hereunder while the legislature is not in session. The secretary of the committee is hereby authorized to expend such sums as he may require for clerical assistance in carrying out the

provisions of this act, not to exceed five hundred dollars in each biennial period.

Sec. 2. Heads of state departments and others entrusted with expenditure of public moneys to file estimate with clerk of committee in October preceding legislative session. During the month of October in each even year there shall be filed with the secretary of the committee on budget by each individual, by the heads of departments, state institutions, commissions and boards of trustees, who are intrusted with the expenditure of public money, upon forms prepared and furnished by the committee, written statements showing in detail the amounts appropriated and expended for the current biennial fiscal period ending on the thirtieth day of June preceding, and a written estimate of the necessary expenditures of the department, institution, commission or board, for each of the two following years ending on June thirtieth, together with the estimated income, if any, arranged in proper manner in detail by classification and by proper summaries as may be required by the committee. A written statement showing the reason for all estimated expenditures, other than fixed charges, shall be filed with statement of appropriations and expenditures.

Sec. 3. Corporations and associations desiring state aid to file statement with clerk in October preceding session. During the month of October in each even year there shall be filed with the secretary of the committee, by every corporation, not including municipal corporations, every association, board and institution, whether public or private, receiving or requesting an appropriation from the state, upon forms prepared and furnished by the committee, a statement in detail of all money, with the reason therefor, for which any general or special appropriation is desired at the ensuing session of the legislature by such corporation, association or institution, and such statement of desired appropriations as well as any reports required shall be and remain public records.

Sec. 4. Committee shall meet in November preceding session of legislature, hold public hearings and make up budget for ensuing two year fiscal period. The committee shall meet on the third Tuesday in November of each even year at the state capitol, and shall thereupon proceed to prepare estimates, for the budget, of the amounts required to be appropriated by the legislature for the conduct of the business of the state in all its offices, institutions, departments and undertakings for the biennial fiscal period next ensuing, provided that the estimates for the first fiscal period shall be for the interim from the January first following to June thirtieth of the year after the next regular session of the legislature, and thereafter the biennial fiscal period shall be from June thirtieth to June thirtieth of odd years. Before making up such estimates the committee shall examine all statements and requests for appropriations on file with

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its secretary, and shall afford to the officers, boards and commissions presenting such statements, and making such requests, reasonable opportunity for explanation in regard thereto, and whenever requested shall grant to such officers, boards or commissions and to citizens having information a hearing thereon. All such hearings shall be open to the public. The committee or any member or members thereof, may upon vote of the committee visit any department, institution, or undertaking for which an appropriation is requested, for the purpose of examination and investigation, and shall also hold such public hearings as in its judgment may be deemed advantageous for the purpose of preparing such estimates. As a part of the budget shall be included an estimate of the revenues of the state expected to be received during the ensuing biennial fiscal period, together with a report of the expenditure of state funds during the current biennial fiscal period in detail, so far as advisable. Said estimates, together with such recommendations, reasons and explanations with regard to such estimates as shall be deemed necessary by the committee, shall be the budget for the ensuing biennial fiscal period.

Sec. 5. Budget to be transmitted to legislature not later than fifth day of session; legislature may request estimates, etc., filed with committee. The committee shall transmit to the legislature, not later than the fifth day of the first session thereof the budget as above, and upon request of any committee of the legislature the secretary of the committee on budget shall transmit to such committee of the legislature all statements, estimates and requests which were filed with said secretary by officers, boards and commissions as required by sections two and three of this act, or copies thereof.

Sec. 6. How the budget shall be made up. In making up the estimates, constituting the budget, the committee shall, in connection therewith and as a part thereof submit an estimate in detail, or a general estimate in any instance where it is impracticable to give specific items, subdivided under appropriate headings, of such sums as may be deemed necessary to defray the several charges and expenses of the public service for the ensuing biennial fiscal period. This estimate shall also include such sums as may be deemed necessary for charitable and benevolent institutions, new buildings or the renovation of old buildings of state institutions, and for such other purposes for which public money may be properly appropriated. It shall be accompanied by a statement showing the total valuation of taxable property in the state as compiled by the board of state assessors and the rate of taxation necessary to produce approximately the revenue required to meet such appropriations. It shall also show the estimated income of the state for said biennial fiscal period from sources other than direct taxation.

Sec. 7. Appropriation. There is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of two thousand dollars, or so much thereof as may be required to carry out the purposes of this act.

Sec. 8. R. S., c. 2, §§ 92, 93, 94 and 95; 1917, c. 240; relating to budget estimates to be filed with state auditor to be transmitted to governor and council and laid before legislature, repealed. Sections ninety-two, ninety-three, ninety-four and ninety-five of chapter two of the revised statutes are hereby repealed.

Approved March 26, 1919.

Chapter 103.

An Act to Amend Section Eighty-six of Chapter Sixteen of the Revised Statutes, Relating to Returns from Towns Showing Expenditure for High School Tuition.

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

R. S., c. 16, § 86; relating to returns to state superintendent of schools of expenditure for tuition, amended. Section eighty-six of chapter sixteen of the revised statutes is hereby amended by striking out the words "superintending school committee" in the second line thereof and substituting therefor the words 'superintendent of schools', so that said section, when amended, shall read as follows:

'**Sec. 86. Return to be made by superintendent instead of school committee.** When any town shall have been required to pay and has paid tuition as aforesaid, the superintendent of schools of such town shall make a return under oath to the state superintendent of public schools before the first day of September for the preceding school year, stating the name of each youth, for whom tuition has been paid, the amount paid for each, and the name and location of the school which each has attended, and thereupon shall be paid, annually in the month of December, from the state treasury out of the appropriation for the support of free high schools, to each town paying tuition and making return as aforesaid, a sum equal to two-thirds of the amount thus paid by such town, not exceeding five hundred dollars.'

Approved March 26, 1919.

Chapter 104.

An Act to Amend Section Sixty-one of Chapter Eight of the Revised Statutes, Relating to the Maine Forestry District Tax.

Preamble. Whereas, the forests situated mainly in the plantation and unorganized townships are one of the chief sources of wealth of the state, and the protection of such forests from destruction by fire is of the great-