

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

# ACTS AND RESOLVES

AS PASSED BY THE

Ninety-ninth Legislature

OF THE

# STATE OF MAINE

Published by the Director of Legislative Research in accordance with subsection VI of section 27 of chapter 10 of the Revised Statutes of 1954.

---

KENNEBEC JOURNAL

AUGUSTA, MAINE

1959

---

---

PUBLIC LAWS  
OF THE  
STATE OF MAINE

As Passed by the Ninety-ninth Legislature

1959

---

---

## Chapter 31

### AN ACT to Clarify the Maine Commercial Feed Law.

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

Sec. 1. R. S., c. 32, § 236-C, amended. Section 236-C of chapter 32 of the Revised Statutes, as enacted by section 1 of chapter 331 of the public laws of 1957, is amended by inserting before the 8th paragraph from the end, the following paragraph, to read as follows:

‘“Commissioner” means the Commissioner of Agriculture or his authorized agent.’

Sec. 2. R. S., c. 32, § 236-F, sub-§ I, repealed and replaced. Subsection I of section 236-F of chapter 32 of the Revised Statutes, as enacted by section 1 of chapter 331 of the public laws of 1957, is repealed and the following enacted in place thereof:

I. If any material or substance is present in such amounts to render it injurious to animal health when fed in accordance with directions for use on the label, if there be one;’

Effective September 12, 1959

---

---

## Chapter 32

### AN ACT Defining Blanket Accident and Sickness Insurance with Respect to Schools.

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

R. S., c. 60, § 121, sub-§ I, ¶ C, amended. Paragraph C of subsection I of section 121 of chapter 60 of the Revised Statutes is amended to read as follows:

‘C. Under a policy or contract, covering students ~~or~~, teachers ~~issued to~~ or employees of a college, school or other institution of learning issued to the institution or to the head or principal thereof, who or which shall be deemed the policyholder.’

Effective September 12, 1959

---

---

## Chapter 33

### AN ACT Clarifying the Laws Relating to the Department of Finance and Administration.

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

Sec. 1. R. S., c. 15-A, § 2, sub-§ III, repealed. Subsection III of section 2 of chapter 15-A of the Revised Statutes, as enacted by section 1 of chapter 340 of the public laws of 1957, is repealed as follows:

~~III. To constantly review the administrative activities of other departments and agencies of the State, study organization and administration, investigate duplication of work and to formulate plans for better and more efficient management, and to report periodically to the Governor and on request to the Legislature;~~

Sec. 2. R. S., c. 15-A, § 3, amended. The last paragraph of section 3 of chapter 15-A of the Revised Statutes, as enacted by section I of chapter 340 of the public laws of 1957, is amended to read as follows:

'In the absence of any bureau chief from the State, or from his official duties, or in the event of a vacancy in the position of any one of them, the commissioner, or his authorized agent, ~~shall have~~ may exercise the powers and perform the duties prescribed for such bureau chief.'

Sec. 3. R. S., c. 15-A, § 4, amended. Section 4 of chapter 15-A of the Revised Statutes, as enacted by section I of chapter 340 of the public laws of 1957, is amended to read as follows:

'Sec. 4. Definition. The words "Governor-elect," whenever used in sections 5 to 16, shall be held to mean the candidate most recently elected to the office of Governor of the State of Maine in ~~September of the even numbered years~~ the November election for choice of Governor, or his successor.'

Sec. 4. R. S., c. 15-A, § 5, amended. Section 5 of chapter 15-A of the Revised Statutes, as enacted by section I of chapter 340 of the public laws of 1957, is amended to read as follows:

'Sec. 5. Powers and duties relating to budgeting. The Department of Finance and Administration, through the Bureau of the Budget, shall have the duty and authority:

I. To prepare and submit to the Governor-elect, or the Governor, biennially, a state budget document in accordance with the provisions set forth in this chapter;

II. To examine and recommend for approval the work program and quarterly allotments of each department and agency of the State Government, before the appropriations made for such department or agency shall become available for expenditure;

III. To examine and recommend for approval any changes in the work program and quarterly allotments of any department or agency of the State Government during the fiscal year;

III-A. To constantly review the administrative activities of other departments and agencies of the State, study organization and administration, investigate duplication of work and to formulate plans for better and more efficient management, and report periodically to the Governor and on request to the Legislature;

IV. To make rules and regulations, subject to the approval of the commissioner, for the carrying out of the provisions of sections 5 to 16.'

Sec. 5. R. S., c. 15-A, § 7, amended. The first sentence of the 2nd paragraph of section 7 of chapter 15-A of the Revised Statutes, as enacted by section I of chapter 340 of the public laws of 1957, is amended to read as follows:

## PUBLIC LAWS, 1959

## CHAP. 33

'Part 1 shall consist of a budget message by the Governor-elect, or the Governor, which shall outline the financial policy of the State Government for the ensuing biennium, describing in connection therewith the important features of the financial plan.'

**Sec. 6. R. S., c. 15-A, § 7, amended.** The last sentence of the 3rd paragraph of section 7 of chapter 15-A of the Revised Statutes, as enacted by section 1 of chapter 340 of the public laws of 1957, is amended to read as follows:

'It shall also contain any statements relative to the financial plan which the Governor-elect, or the Governor, may deem desirable, or which may be required by the Legislature.'

**Sec. 7. R. S., c. 15-A, § 8, amended.** Section 8 of chapter 15-A of the Revised Statutes, as enacted by section 1 of chapter 340 of the public laws of 1957, is amended to read as follows:

'**Sec. 8. Budget estimates.** On or before ~~October~~ September 1st of the even-numbered years, all departments and other agencies of the State Government and corporations and associations receiving or desiring to receive state funds under the provisions of law shall prepare, in the manner prescribed by and on blanks furnished them by the State Budget Officer, and submit to said officer, estimates of their expenditure requirements for each fiscal year of the ensuing biennium contrasted with the corresponding figures of the last completed fiscal year and the estimated figures for the current fiscal year. The expenditure estimates shall be classified to set forth the data by funds, organization units, character and objects of expenditure. The organization units may be sub-classified by functions and activities, or in any other manner, at the discretion of the State Budget Officer.

Tentative revenue estimates prepared by the State Budget Officer ~~on October 1st~~ during the month of September of the even-numbered years shall be revised by this officer during the following month of November for inclusion in the budget. The revenue estimates shall be classified so as to show the income by organization units, sources and funds, or in any other manner, at the discretion of the State Budget Officer.

Upon receipt of the budget estimates submitted in accordance with this section, the State Budget Officer may require the heads of departments and other agencies of the State Government and officers of organizations and associations receiving or desiring to receive state funds under the provisions of law to appear before said officer and present such additional data in support of their budget estimates as said officer may deem necessary.'

**Sec. 8. R. S., c. 15-A, § 9, amended.** Section 9 of chapter 15-A of the Revised Statutes, as enacted by section 1 of chapter 340 of the public laws of 1957, is amended to read as follows:

'**Sec. 9. Review and revision of budget estimates.** The Governor-elect, or the Governor, with the assistance of the State Budget Officer, shall review the budget estimates, altering, revising, increasing or decreasing the items of said estimates as may be deemed necessary in view of the needs of the various departments and agencies and the total anticipated income of the State Government during the ensuing biennium. The State Budget Officer, at the direction of the Governor-elect, or the Governor, shall then prepare a state budget document in the form required by the provisions of this chapter. The Governor-elect, or the Governor, shall be fully responsible for all budgetary recommendations made to

the Legislature. The Governor shall transmit said budget document to the Legislature not later than the close of the 2nd week of the regular legislative session.'

**Sec. 9. R. S., c. 15-A, § 11, amended.** The 3rd sentence of section 11 of chapter 15-A of the Revised Statutes, as enacted by section 1 of chapter 340 of the public laws of 1957, is amended to read as follows:

'Appropriations for the acquisition of property shall be in such detail under each department or agency as the Governor-elect, or the Governor, shall determine.'

**Sec. 10. R. S., c. 15-A, § 34, sub-§ IV, amended.** Subsection IV of section 34 of chapter 15-A of the Revised Statutes, as enacted by section 1 of chapter 340 of the public laws of 1957, is amended to read as follows:

**IV.** To establish and conduct a central duplicating service at the seat of government. Such duplicating service shall be available to all departments and agencies of the State Government. The Superintendent of Public Printing State Purchasing Agent is hereby empowered to make charges to those departments and agencies of the State Government making use of the facilities and supplies of the central duplicating service;'

**Sec. 11. R. S., c. 15-A, § 39, sub-§ II, ¶ C, additional.** Subsection II of section 39 of chapter 15-A of the Revised Statutes, as enacted by section 1 of chapter 340 of the public laws of 1957, is amended by adding a new paragraph to be lettered C, to read as follows:

**C.** After reasonable investigation by the State Purchasing Agent, it appears that any required unit or item of supply, or brand of such unit or item, is procurable by the State from only one source.'

**Sec. 12. R. S., c. 15-A, § 39, sub-§ IX, amended.** Subsection IX of section 39 of chapter 15-A of the Revised Statutes, as enacted by section 1 of chapter 340 of the public laws of 1957, is amended to read as follows:

**IX.** The phrase "in-state bidder" shall be held to mean one having its principal place of business, or a branch thereof, located in Maine or having a regularly employed representative who is a bona fide resident of the State of Maine.'

**Sec. 13. R. S., c. 15-A, §§ 55-60, additional.** Chapter 15-A of the Revised Statutes, as enacted by section 1 of chapter 340 of the public laws of 1957, is amended by adding 6 new sections to be numbered 55 to 60, to read as follows:

#### 'Public Ways and Parking Areas.

**Sec. 55. Definition.** The words "public way" or "public ways," when used in sections 56 to 60, shall be held to mean all roads and driveways on lands maintained by the State at the seat of government.

The words "parking area" or "parking areas," when used in sections 56 to 60, shall be held to mean all lands maintained by the State at the seat of government which may be designated as parking areas by the State Director of Public Improvements.

Sec. 56. Rules and regulations. The State Director of Public Improvements is authorized and empowered to make and enforce rules and regulations, subject to the approval of the Governor and the commissioner, governing the use of public ways and parking areas maintained by the State at the seat of government. Said rules and regulations shall become effective upon deposit of a copy thereof with the Secretary of State, who shall forward a copy thereof attested under the Great Seal of the State to the municipal court of the City of Augusta.

Sec. 57. Special police officers; powers and duties; duties of other officers to cooperate. The State Director of Public Improvements is authorized and empowered to appoint and employ, subject to the provisions of the Personnel Law, special police officers for the purpose of enforcing rules and regulations made pursuant to section 56.

The powers and duties of the special police officers so appointed and employed shall be to patrol all of the public ways and parking areas subject to sections 55 to 60, enforce rules and regulations made under section 56, arrest any violator thereof and prosecute any offender against the same.

The State Police, sheriffs and deputy sheriffs, constables and police officers of the City of Augusta shall, so far as possible, cooperate with the special police officers appointed and employed under this section in the enforcement of rules and regulations made pursuant to section 56.

Sec. 58. Jurisdiction. The municipal court of the City of Augusta shall have jurisdiction in all proceedings brought under sections 55 to 60, which court shall take judicial notice of all rules and regulations adopted pursuant to section 56. In any prosecution for violation of any rule and regulation, the complaint may allege the offense as in prosecutions under a general statute and need not recite the rule or regulation.

Sec. 59. Fines and costs of court. Any person found guilty of violating any rule or regulation made pursuant to section 56 shall, upon conviction, pay a fine and costs of court as follows:

- I. For the first offense in any calendar year, a fine of \$1 plus the costs of court;
- II. For the 2nd offense in any calendar year, a fine of \$2 plus the costs of court;
- III. For each offense in excess of 2 in any calendar year, a fine of \$5 plus the costs of court.

Notwithstanding any other provisions of law, the fines and costs of court paid under this section shall inure to the City of Augusta.

Sec. 60. Offenses not covered by rules and regulations. Offenses not covered by the rules and regulations made under section 56 shall be dealt with as otherwise provided by law.'

Sec. 14. R. S., c. 155, § 1, amended. Section 1 of chapter 155 of the Revised Statutes is amended to read as follows:

'Sec. 1. Inheritance and succession tax laws administered. The assessment and collection of all taxes on inheritances and successions and of all estate taxes



and the enforcement and administration of all the provisions of law relating thereto shall be vested in the State Tax Assessor.

~~In the absence or disability of the State Tax Assessor, the Governor and Council may, if deemed feasible, authorize the commissioner of finance and administration to exercise all the powers of and perform all the duties of the State Tax Assessor with respect to such taxes during such absence or disability.~~

Sec. 15. P. & S. L., 1957, c. 158, repealed. Chapter 158 of the private and special laws of 1957 is repealed.

Effective September 12, 1959

## Chapter 34

### AN ACT Relating to License Fees for Trained Guide Dogs.

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

R. S., c. 100, § 10, amended. The last sentence of the 2nd paragraph of section 10 of chapter 100 of the Revised Statutes is amended to read as follows:

'In addition to the amount paid for license and tag, each applicant shall pay the city or town clerk 25c for the recording and making a return to the Commissioner of Agriculture, except that a license and tag shall be issued by the city or town clerk, upon application, for any trained guide dog owned or kept by a blind person without payment of any fee required under this section. When any such dog has not been previously registered or licensed by the town or city clerk to whom such application is being made, such town or city clerk shall not register such dog nor issue to the owner or keeper a license and tag therefor unless written evidence shall be exhibited to him that the dog is trained and educated and intended in the fact to perform such guide service for such applicant.'

Effective September 12, 1959

## Chapter 35

### AN ACT Relating to Reimbursement to Forestry Department for Expenses When Forest Management is Practiced on State Lands.

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

R. S., c. 36, § 15, amended. Section 15 of chapter 36 of the Revised Statutes is amended by adding a new paragraph to read as follows:

'Whenever foresters of the Forestry Department are used to practice forest management on lands belonging to the State, reimbursement for the time and expenses of the foresters, advertising of stumpage and similar expenses incidental thereto shall be deducted from the income received from said sale of stumpage before it is credited to the department that has administration of the area.'

Effective September 12, 1959