

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

One Hundredth Legislature

OF THE

STATE OF MAINE

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the One Hundredth Legislature

**1961**

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conviction is upheld. No person whose license or permit to operate a motor vehicle has been so revoked shall be licensed again or permitted to operate a motor vehicle for a period of 3 years from the time such license is revoked, except that after two years have elapsed from the date of such revocation, the Secretary of State may restore such license or permit with or without conditions or restrictions.'

Sec. 3. R. S., c. 130, § 8, amended. Section 8 of chapter 130 of the Revised Statutes is amended to read as follows:

'Sec. 8. Manslaughter, definition. Whoever unlawfully kills a human being in the heat of passion, on sudden provocation, without express or implied malice aforethought, or, being under the legal duty to care and provide for any child or other person, willfully fails or neglects to provide for such child or other person necessary food, clothing, treatment for the sick or other necessities of life, thereby causing or hastening the death of such child or other person, or commits manslaughter as defined by the common law, shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 20 years, except that if there is a violation of chapter 22, sections 151-B or 151-C, no prosecution for manslaughter shall lie.'

Effective September 16, 1961

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## Chapter 263

AN ACT Relating to Number of Members of Superintending School Committees.

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

R. S., c. 41, § 45, repealed and replaced. Section 45 of chapter 41 of the Revised Statutes, as amended by section 22-A of chapter 364 of the public laws of 1957, is repealed and the following enacted in place thereof:

'Sec. 45. Superintending school committee. Every town not included in a school administrative district shall choose by ballot at its annual meeting a superintending school committee of 3 to hold office as provided in section 46 and shall fill vacancies arising therein at each subsequent annual meeting. Notwithstanding the foregoing, a town may vote at its annual meeting to have 5 members of the superintending school committee and may choose by ballot 3 additional superintending school committee members to serve with the 2 members whose terms have not expired and shall fill vacancies arising therein at each subsequent annual town meeting. The 3 members thus chosen shall designate by lot one member to serve 2 years and 2 members to serve 3 years, and they shall certify such designation to the town clerk to be by him recorded, and thereafter the members shall be chosen by ballot at the annual meeting to hold office for 3 years. Said committee may fill vacancies occurring between annual meetings, and the term of office of any member of the committee so chosen shall expire at the next annual meeting. In such cases the superintending school committee shall designate 3 of its members to serve on the joint committee of the school union and they shall be empowered to designate any one member of the 3 so designated to act for the entire committee. The total vote or votes cast by such member or members at any meeting of the joint union committee shall not exceed 3. If any town has accepted chapter 90-A, section 37, relative to secret ballot, it may, at least 30 days before the annual town

meeting, hold a special town meeting to vote to have 5 members of the superintending school committee.'

Effective September 16, 1961

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## Chapter 264

### AN ACT Authorizing Acceptance of Federal Act Providing for Financial Assistance in Constructing School Facilities.

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

Sec. 1. R. S., c. 41, §§ 11-B to 11-E, additional. Chapter 41 of the Revised Statutes is amended by adding 4 new sections 11-B to 11-E, to read as follows:

'Sec. 11-B. State authorized to accept provisions of Federal acts providing for school construction assistance; to comply with laws and regulations. The State is authorized to accept any Act of Congress providing for financial assistance to states for the construction of school facilities or other purposes and, if accepted, will comply with all the provisions of the said Act of Congress, including any regulations published by the United States Department of Health, Education and Welfare under such act which have the force of law when published in the federal register.

Sec. 11-C. State Board of Education designated state agency. The State Board of Education is designated as the sole agency for administering the funds allotted under any federal act providing for financial assistance in the construction of school facilities, and it is authorized to make such certifications to the United States Commissioner of Education as are necessary to entitle the State to receive the benefits of such act, including the authority to elect that any portion of such a federal allotment be in the form of a commitment by the Federal Government to make direct payments of interest and principal on debts of local agencies for the construction of school facilities.

Sec. 11-D. Treasurer of State designated custodian of funds received. The Treasurer of State is designated as custodian for all moneys received by the State from appropriations allotted under the authority of such a federal act providing for financial assistance for constructing school facilities. Said treasurer is authorized to receive and to provide for the proper custody of such funds and to make disbursements therefrom upon the order of the State Board of Education, its executive officer or other legal authority.

Sec. 11-E. Appropriations authorized. Where federal law requires matching by state funds, the State Board of Education is authorized to estimate the appropriations necessary to comply with the requirements of the federal law and to include such estimates in the budget request of the State Department of Education for appropriations to be made by the Legislature. Nothing in sections 11-B to 11-E shall be construed as obligating the State to make such appropriations if the Legislature, in its judgment, shall deem it in the best interests of the State not to make such appropriations and to waive, thereby, any allotments of federal funds the allotment of which is contingent upon such state appropriations. To the maximum extent possible under any federal act, school construction assistance presently authorized and paid under section 237-H shall be considered as state funds used to match federal funds.'