

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and First Legislature

OF THE

STATE OF MAINE

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The Knowlton and McLeary Company
Farmington, Maine
1963

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the One Hundred and First Legislature

1963

Government loans or grants for the planning, construction or acquisition of any project; or from entering into agreements with such agency respecting any such loans or grants.

Sec. 10. Contingent upon ratification of bond issue. No action shall be taken or liability incurred under this act unless and until the electors of the State of Maine shall have ratified the issuance of bonds in behalf of the State at such time and in such amounts as set forth in this act for the purpose of constructing student housing at the State Teachers Colleges.

Referendum for ratification. The aldermen of cities, the selectmen of towns and the assessors of the several plantations of this State are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of Senators and Representatives at the next general or special statewide election to give in their votes upon the acceptance or rejection of the foregoing act, and the question shall be:

“Shall ‘An Act to Authorize the Construction of Self-Liquidating Student Housing for the State Teachers Colleges and the Issuance of not Exceeding \$1,433,000 Bonds of the State of Maine for the Financing Thereof,’ passed by the 101st Legislature, be accepted?”

The inhabitants of said cities, towns and plantations shall vote by ballot on said question and shall indicate by a cross or check mark placed against the words “Yes” or “No” their opinion of the same. The ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings, and return made to the office of the Secretary of State in the same manner as votes for Governor and Members of the Legislature, and the Governor and Council shall count the same, and if it shall appear that a majority of the inhabitants voting on the question are in favor of the act the Governor shall forthwith make known the fact by his proclamation, and the act shall become effective in 30 days after the date of said proclamation.

Secretary of State shall prepare ballots. The Secretary of State shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing act, accompanied by a copy thereof.

Effective September 21, 1963

Chapter 183

AN ACT Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1964 and June 30, 1965.

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

Sec. 1. Appropriations for necessary expenditures of government. In order to provide for the necessary expenditures of government and for other purposes for the next two fiscal years — from July 1, 1963 to June 30, 1964 and from

July 1, 1964 to June 30, 1965 – the following sums or as much thereof as shall severally be found necessary, as designated in the following tabulations, are appropriated out of any moneys in the General Fund not otherwise appropriated. Upon receipt of allotments duly approved by the Governor and Council based upon work programs submitted to the State Budget Officer, the State Controller shall authorize expenditures of these appropriations and revenues accruing thereto, together with expenditures for other purposes necessary to the conduct of State Government on the basis of such allotments and not otherwise.

Allotments for personal services, capital expenditures and amounts for all other departmental expenses shall not exceed the amounts shown in the budget document or as they may be revised by the Committee on Appropriations and Financial Affairs unless approved by the State Budget Officer and the Governor and Council.

The figures in parentheses shown before each dollar amount provided for Personal Services in this Act, or as adjusted by other Legislative action, shall represent the total number of authorized permanent positions in such account, and the maximum number of persons employable on a permanent basis at any one time. The appropriations made for Personal Services are made with the proviso that the total number of permanent positions in any account shall not be increased during either year of the biennium over the total numbers shown in parentheses and used by the Legislature in computing the total dollars to be made available for Personal Services. Savings accruing within appropriations made for permanent positions may be used for other personal services when approved by the Personnel Board, certification by the Board to the Department of Finance & Administration – Budget Office, and approval by the Governor and Council. To provide some degree of flexibility, each department, institution or agency may apply to the Personnel Board for an exchange between job classifications, and such action may be approved if by so doing the total amount determined to be available for Personal Services, in such account, for any one year is not exceeded.

The Budget Office, during the next biennium, shall continually review with all departments the status of their personnel with the purpose of determining that all departments are expending Personal Service moneys within the intent of the Legislature.

The Governor and the Budget Officer when next preparing a Budget Document may at their discretion adjust the figures in parentheses, representing numbers of employees, to reflect the number of employees which in their opinion is necessary to the proper operation of each department, institution or agency.

The Personnel Board is directed to require merit ratings on each individual who is recommended for a salary increase on a form prescribed by the Board. Department heads are directed that the granting of merit increases be scrutinized and documented carefully. It is the intent of the Legislature that in instances where merit increases are not earned and warranted they should be denied.

No state department, institution or agency shall establish new programs or expand existing programs beyond the scope of the programs already established,

recognized and approved by the Legislature, until such program and the method of financing shall be submitted to the Department of Finance and Administration – Budget Office – for evaluation and recommendation to the Legislature, and until funds are made available therefor by the Legislature.

It is further provided that the Controller is authorized to close his books as soon as practicable after the close of the fiscal years ending June 30, 1964 and June 30, 1965. Any bills presented after those dates may be paid from appropriations for the ensuing year on recommendation of the Controller if within the amounts of approved allotments.

Whenever it appears to the Commissioner of Finance and Administration that the anticipated income of the State will not be sufficient to meet the expenditures authorized by the Legislature, he shall so report to the Governor and Council and they may curtail allotments so that expenditures will not exceed the anticipated income.

At the end of each fiscal year of the biennium, all unencumbered appropriation balances representing state moneys, except those that carry forward as provided by law, shall be lapsed to Unappropriated Surplus as provided by the Revised Statutes, Chapter 15-A, Section 20. At the end of each fiscal year of the biennium, all encumbered appropriation balances shall be carried forward to the next fiscal year, but in no event shall encumbered appropriation balances be carried more than once.

There shall be paid from the General Highway Fund the cost of accounting, auditing, purchasing and legal services furnished from the General Fund appropriations. This revenue shall be credited to the General Fund.

It is intended that the language in this section shall apply to all other appropriation measures enacted by the Legislature.

Department	1963-64	1964-65
ADJUTANT GENERAL, DEPARTMENT OF		
Military Fund		
Personal Services	\$ —	(1) \$ 3,302
All Other	—	2,600
Provides one Building Custodian and operation costs of three new buildings at Fort Williams		
AGRICULTURE, DEPARTMENT OF		
Inspection		
Personal Services	(1) —	(1) —
Provides one position for Weights and Measures Program		

Department	1963-64	1964-65
AGRICULTURE, DEPARTMENT OF – Continued		
Plant Industry		
Personal Services	(1) \$ 6,053	(1) \$ 7,266
All Other	4,500	5,500
Establishes a Foreign Trade Division – one new employee and operating expenses		
Total Department of Agriculture	10,553	12,766
ATTORNEY GENERAL, DEPARTMENT OF		
Administration		
Personal Services	(1) 3,666	(1) 3,739
Provides funds for one new clerical position		
CONTRIBUTIONS AND TRANSFERS		
To General Highway Fund		
General Fund Share of State Police Cost – 25%	10,974	19,290
Provides 5 additional troopers, with related costs, each year of the biennium		
To Special Revenue Funds		
District Courts	50,000	—
Provides supplemental funds for establishment of District Court Sites		
Total Contributions and Transfers	60,974	19,290
ECONOMIC DEVELOPMENT, DEPARTMENT OF		
All Other	25,000	25,000
Provides additional funds for Recreational advertising		
EDUCATION, DEPARTMENT OF		
General Purpose Educational Aid		
All Other	256,143	256,143
Provides funds for payment of 100% Subsidy at latest valuation		

Department

1963-64

1964-65

EDUCATION, DEPARTMENT OF—Continued

Administration

Personal Services	(1)	\$ 5,339	(1)	\$ 6,713
All Other		500		500
Capital Expenditures		175		—

Provides funds to continue one limited employee on a permanent basis and reallocation and reclassification of five positions

Educational Television

Personal Services	(1½)	9,295	(1½)	9,963
All Other		36,875		41,670
Capital Expenditures		510		60

Provides one Education Specialist, one-half salary of a Clerk Stenographer, operating expenses and equipment. Also provides \$25,000 in each year for purchase of television time from Station WBBC for primary and secondary level educational programs

Farmington State Teachers College

Personal Services	(3)	50,000	(3)	50,000
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Provides three new positions and improved salary schedule

Gorham State Teachers College

Personal Services	(2)	50,000	(2)	50,000
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Provides two new positions and improved salary schedule

Washington State Teachers College

Personal Services	(1)	13,416	(1)	14,872
All Other		1,584		128

Provides one new position, improved salary schedule and Library books

Fort Kent State Teachers College

Personal Services		6,000		6,500
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Provides improved salary schedule and substitute salaries

Department	1963-64	1964-65
EDUCATION, DEPARTMENT OF — Continued		
Aroostook State Teachers College		
Personal Services	(4) \$ 37,500	(4) \$ 37,500
Provides four new positions and improved salary schedule		
Superintendents of Towns Comprising School Unions		
Personal Services	(1) —	(1) —
Authorizes one new position so that position count equals known number of Superintendents		
Maine Vocational Technical Institute		
Personal Services	2,086	5,344
Provides improved salary schedule		
Vocational Rehabilitation		
Personal Services	(2) 2,400	(2) 2,668
All Other	12,127	12,019
Capital Expenditures	1,494	585
Provides funds to continue two limited employees as permanent		
Total Department of Education	----- 485,444	----- 494,665

EXECUTIVE DEPARTMENT

Blaine House		
All Other	750	750
Provides for additional utility expense		

FINANCE AND ADMINISTRATION, DEPARTMENT OF

Accounts and Control		
Personal Services	(2) 6,942	(2) 9,724
All Other	3,000	10,000
Capital Expenditures	1,000	2,500
Provides one Machine Services Chief Programmer, one Clerk Stenographer, rental of electronic equipment and Purchase of related office equipment		

APPROPRIATIONS FOR GOVT. EXPENDITURES 1313
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Department	1963-64	1964-65
FINANCE AND ADMINISTRATION, DEPARTMENT OF – Continued		
Budget		
Personal Services	(2) \$ 7,267	(2) \$ 15,981
All Other	1,775	1,900
Capital Expenditures	555	300
Provides one Management Analyst, an Assistant Budget Officer, related operating costs and equipment		
Taxation		
Personal Services	(2) 7,852	(2) 11,164
All Other	3,000	3,000
Capital Expenditures	550	—
Provides two Field Examiners for auditing Non-Resident Accounts, related operating expense and equipment		

Total Department of Finance and Administration	31,941	54,569

HEALTH AND WELFARE, DEPARTMENT OF

Administration – Health		
Personal Services	(7) 15,000	(7) 15,000
Provides \$15,000 each year for seasonal laboratory staff and other seasonal employees for various inspectional activities. Authorizes seven new public health nursing positions but at no cost to the State		
Child Welfare Services		
All Other	75,000	75,000
Provides additional funds for Board and Care in foster homes		
Administration – Welfare		
Personal Services	(4) 10,186	(4) 10,838
All Other	7,100	7,100
Capital Expenditures	950	135
Provides four new positions – One legal investigator; one investigator for the general relief program, and two positions in the public assistance field. Also provides for increased postage rates, increased		

Department	1963-64	1964-65
HEALTH AND WELFARE, DEPARTMENT OF—Continued		
rental rates and related operating costs of the four new positions		
Eye Care and Special Services		
Personal Services	(1) \$ 1,489	(1) \$ 1,530
All Other	359	370
Capital Expenditures	52	50
Provides additional funds for mobility instruction for the blind. Authorizes one additional position		
Aid to the Aged, Blind and Disabled		
All Other	64,864	64,977
Provides additional funds to meet the demand for services arising from increased medical care case-loads. Also includes \$20,000 each year for a two-year project program to permit broadened definition of disability to include mentally ill institutionalized applicants at Augusta and Bangor State Hospitals		
 (The reduction in employees and travel moneys, reflected in Chapter 168 of the Private and Special Laws of 1963, from the Child Welfare Services—State Funds Account, reflects the intent of the Legislature that services now being performed for courts in selected divorce cases be discontinued, but nothing herein contained is intended to limit the authority of any judge in requesting assistance from the department when in his discretion such is required.)		
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Total Department of Health and Welfare	175,000	175,000
 INTEREST ON BONDS		
All Other	—	210,000
Provides for interest on estimated Bond Issue		

APPROPRIATIONS FOR GOVT. EXPENDITURES 1315
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Department	1963-64	1964-65
LIBRARY		
Personal Services	(1) \$ 2,143	(1) \$ 2,143
All Other	195	195
<p>Provides funds to continue one limited employee on a permanent basis with related operating expense</p>		
MAINE MARITIME ACADEMY		
All Other	50,000	50,000
<p>Provides additional operating funds necessitated by approval of a four-year program</p>		
MENTAL HEALTH AND CORRECTIONS, DEPARTMENT OF		
Bureau of Business Management		
Personal Services	(4) 15,945	(4) 22,770
All Other	8,625	11,500
Capital Expenditures	2,460	80
<p>To establish a Bureau of Business Management – Division of Reimbursement. Provides one supervisor, two investigators and one clerical with necessary related office expense and equipment</p>		
Governor Baxter State School for the Deaf		
Personal Services	7,120	6,500
<p>To adjust the salaries of teachers to the approved Teachers Salary Plan</p>		
Military and Naval Children's Home		
Personal Services	(13) 52,049	(13) 54,300
All Other	18,381	18,418
Capital Expenditures	750	500
<p>Provides funds to continue operation of Military and Naval Children's Home</p>		
Augusta State Hospital		
All Other	30,000	30,000

Department		1963-64		1964-65
MENTAL HEALTH AND CORRECTIONS, DEPARTMENT OF -- Continued				
Provides additional funds for out-patient medicines and drugs				
Bangor State Hospital				
Personal Services	(8)	\$ 25,376	(8)	26,624
Provides funds to continue eight limited employees on a permanent basis				
Boys Training Center				
Personal Services	(7)	21,447	(7)	31,281
All Other		5,000		5,000
Provides additional funds because of increased population. One Training School Counselor Supervisor, one Clerk Stenographer, one Training School Counselor, one Physical Education Teacher, one Training Center Caseworker, one Clerk and one Clerk Typist and related operating costs				
Reformatory for Men				
Personal Services	(13)	51,207	(13)	54,756
Provides funds to continue thirteen limited employees on a permanent basis				
Probation and Parole				
Personal Services		3,250		3,766
Provides for reclassifications of eleven employees				
Community Mental Health Services				
All Other		10,000		10,000
Provides additional funds for grants				
Total Department of Mental Health and Corrections		----- 251,610		----- 275,495
PARK COMMISSION				
Personal Services	(2)	8,700	(2)	11,300
All Other		1,855		2,750
Capital Expenditures		455		2,500

APPROPRIATIONS FOR GOVT. EXPENDITURES
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Department	1963-64	1964-65
PARK COMMISSION -- Continued		
Provides funds to establish a Division of Outdoor Recreation. Includes a Division Head and Clerk Stenographer in 1963-64.		
PUBLIC UTILITIES COMMISSION		
Administration		
All Other	\$ 1,900	\$ 3,400
Provides State's share of salary adjustment and related retirement costs		
Hydrologic Survey		
All Other	700	1,300
Provides State's share of salary adjustment and related retirement costs		
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Total Public Utilities Commission	2,600	4,700
SCENIC COMMITTEE		
All Other	5,000	5,000
Provides for a Program of Education.		
It is the intent of the Legislature that this Committee and the appropriation therefor be considered as non recurring.		
SEA AND SHORE FISHERIES		
Administration		
Capital Expenditures	15,000	--
Provides additional funds for Patrol Boats with motors and radios and a radar for the "Explorer" and for repairs to patrol boats		
STATE EMPLOYEES		
Personal Services	226,335	452,670

Department	1963-64	1964-65
STATE EMPLOYEES – Continued		
Provides funds to implement Longevity plan. Effective with applicable pay checks dated on or after January 1, 1964		
UNIVERSITY OF MAINE		
All Other	\$ 250,000	\$ 250,000
Provides additional grant for operations		
VETERANS AFFAIRS		
Personal Services	4,498	4,638
Provides for reclassification of nine Veterans Representatives		
Total	\$1,611,719	\$2,063,072

Amounting to \$1,611,719 for the fiscal year ending June 30, 1964 and \$2,063,072 for the fiscal year ending June 30, 1965.

Sec. 2. Deductions. There is hereby appropriated to be deducted from funds made available to the University of Maine—Educational Television, in Chapter 168 of the Private and Special Laws of 1963, the following amounts:

	1963-64	1964-65
UNIVERSITY OF MAINE		
Educational Television		
All Other	(25,000)	(25,000)

Sec. 3. Directives. The commissioner of Health and Welfare is directed to transfer \$12,500 each year of the biennium from funds made available to the Central Maine Sanatorium in Chapter 168 of the Private and Special Laws of 1963 to the State Tuberculosis Wing at the Community General Hospital in Fort Fairfield for the purpose of establishing a monthly out-patient clinic. All expenses of operating the wing, excluding the expenses of out-patient clinic services, shall be the responsibility of the Community General Hospital. It is not the intention of this paragraph that residual or permanent patients suffering from tuberculosis and eligible for admission to State sanatoria are to be accepted at this installation.

Sec. 4. P. & S. L., 1963, c. 168, § 1, amended. That part of section 1 of chapter 168 of the private and special laws of 1963, as heretofore passed by this

Legislature, which relates to the Military and Naval Children's Home, under the caption, MENTAL HEALTH AND CORRECTIONS, DEPARTMENT OF, is repealed as follows:

Military and Naval Children's Home			
Personal Services	2,500	----	
All Other	1,250	----	

Sec. 5. P. & S. L., 1963, c. 168, § 1, amended. That part of section 1 of chapter 168 of the private and special laws of 1963, as heretofore passed by this Legislature, which relates to the total appropriations for institutions and total appropriation for the Department of Mental Health and Corrections, under the caption MENTAL HEALTH AND CORRECTIONS, DEPARTMENT OF, are amended to read as follows:

“Total Institutions	11,396,056	11,392,306	11,629,225
Total Mental Health and Corrections	12,035,825	12,032,075	12,285,632’

Sec. 6. P. & S. L., 1963, c. 168, § 1, amended. That part of section 1 of chapter 168 of the private and special laws of 1963, as heretofore passed by this Legislature, which relates to “*Municipal Sewerage” under the caption WATER IMPROVEMENT COMMISSION, is amended to read as follows:

*Municipal Sewerage			
All Other	565,000	1,130,000	565,000’

Sec. 7. P. & S. L., 1963, c. 168, § 1, amended. That part of section 1 of chapter 168 of the private and special laws of 1963, as heretofore passed by this Legislature, which relates to the total appropriation for the Water Improvement Commission, under the caption WATER IMPROVEMENT COMMISSION, is hereby amended to read as follows:

“Total Water Improvement Commission	701,620	1,266,629	705,272	140,272’
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Sec. 8. P. & S. L., 1963, c. 168, § 1, amended. That part of section 1 of chapter 168 of the private and special laws of 1963, as heretofore passed by this Legislature, which relates to “Total—All Appropriations” and the last paragraph, are hereby amended to read as follows:

“Total — All Appropriations	\$70,550,640	\$71,095,890	\$72,674,068	\$72,084,068
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Amounting to ~~\$70,550,640~~ \$71,095,890 for the fiscal year ending June 30, 1964 and ~~\$72,674,068~~ \$72,084,068 for the fiscal year ending June 30, 1965.’

Sec. 9. R. S., c. 27, § 1, amended. The first paragraph of section 1 of chapter 27 of the Revised Statutes, as last amended by section 2 of the private and special laws of 1963, chapter 168, is further amended to read as follows:

'The Department of Mental Health and Corrections, as heretofore established, hereinafter in this chapter called the "department," shall have general supervision, management and control of the research and planning, grounds, buildings and property, officers and employees, and patients and inmates of all of the following state institutions: The hospitals for the mentally ill, Pineland Hospital and Training Center, the State Prison, the Reformatories for Men and Women, the juvenile institutions, the Governor Baxter State School for the Deaf, the Military and Naval Children's Home and such other charitable and correctional state institutions as may be created from time to time. All orders of commitment, medical and administrative records in the department are held to be confidential. Such records may be subpoenaed by a court of record.'

Sec. 10. R. S., c. 27, §§ 166-167, additional. Chapter 27 of the Revised Statutes is amended by adding 2 new sections, to be numbered 166 and 167, to read as follows:

'Bath Military and Naval Children's Home.

Sec. 166. Bath Military and Naval Children's Home declared a state institution; purposes; board and care. The State Military and Naval Children's Home, established as the Bath Military and Naval Orphan Asylum at Bath by chapter 163 of the private and special laws of 1866, is declared to be a state institution, the purpose of which is the rearing and educating, in the common branches of learning and ordinary industrial pursuits of the poor and neglected children of this State, preference being given to the children of soldiers and sailors of Maine who have served in the various wars in which the United States has engaged.

The relatives of any such child liable by law for his support shall pay to the State for board and care of such child the amount determined by the department. The department may, after proper investigation of the financial circumstances of such relative, if it finds that such relative is unable to pay the amount determined, in whole or in part, waive such payment or so much thereof as the circumstances appear to warrant. All income from this source shall be paid to the Treasurer of State and shall be credited to the General Fund.

Sec. 167. Guardianship. The department shall have charge of the affairs of said home. Its head shall be called the superintendent. The commissioner and the superintendent shall act as a board of guardians of all the children who are members of said home and shall have all the power and authority granted by law to guardians.'

Effective September 21, 1963

Chapter 184

AN ACT Appropriating Funds to Aid in Dredging the Kennebunk River Harbor.

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

Appropriation to aid the dredging of the Kennebunk River Harbor. There is appropriated from the Unappropriated Surplus of the General Fund of the