

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

One Hundred and First Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with the Revised Statutes of 1954, Chapter 10, Section 27, Subsection VI.

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

State to the Towns of Kennebunk and Kennebunkport the sum of \$45,000 to aid said towns to dredge the Kennebunk River Harbor. Such appropriation shall not be available until the sum of \$45,000 has been appropriated by the Towns of Kennebunk and Kennebunkport for the same purpose and the sum of \$270,000 has been appropriated by the Congress of the United States for the same purpose. Such appropriation shall not lapse until June 30, 1965.

Effective September 21, 1963

Chapter 185

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

Emergency preamble. Whereas, acts and resolves passed by the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the said 90-day period will not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of departments and institutions will become due and payable on or immediately after July 1, 1963; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require 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. 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 just 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.

GENERAL FUND

APPROPRIATIONS FROM GENERAL FUND

Legislative Document	Title	1963-64	1964-65
10	Resolve, Increasing Retirement Benefit for Georgia Dinsmore of Bath Contributions and Transfers	\$ 812.00	\$ —
216	An Act Increasing Compensation of Public Members of Standardization Committee Personal Services	40.00	40.00
487	Resolve, Providing for Retirement and Pension for Stephen A. Regina of Saco Contributions and Transfers	676.00	689.00
1039	An Act Relating to Salary of Commissioner of Education Personal Services	1,667.00	2,000.00
1116	An Act Relating to Income from Ministerial and School Fund in Determining Educational Foundation Program Allowance All Other	4,320.00	4,320.00
1592	Resolve, Proposing an Amendment to the Constitution Clarifying Pro-		

Legislative Document	Title	1963-64	1964-65
	visions Governing Assumption of Office of Governor by the President of the Senate or the Speaker of the House		
	Personal Services	\$ 3,000.00	\$ —
	All Other	14,000.00	—
503	Resolve, Providing a Pension for Margaret H. Frisbee of Belfast		
	All Other	720.00	720.00
599	An Act Increasing Mileage Allowance for State Employees on State Business		
	All Other	25,000.00	25,000.00
630	Resolve, Increasing Retirement Benefit of Irving W. Small of Milbridge		
	Contributions and Transfers	1,241.00	—
706	An Act Placing Employees of Maine Port Authority Under Personnel Law		
	Contributions and Transfers	5,539.00	5,539.00
1219	An Act to Revise the Civil Defense and Public Safety Council Law		
	Personal Services	442.00	442.00
	All Other	38.00	38.00
1284	An Act Relating to State Police Retirement Benefits Under the Maine State Retirement System — 25%		
	Contributions and Transfers	41,215.00	41,216.00
1249	An Act Relating to the Educational Foundation Program Allowances		
	All Other	—	700,000.00
1489	An Act Transferring Duties of Commissioner of Agriculture Relating to Shellfish to Commissioner of Sea and Shore Fisheries and Revising Laws Thereto		
	Unallocated	5,000.00	5,000.00

Legislative Document	Title	1963-64	1964-65
	Legislative Research Committee		
	Unallocated	\$ 10,000	\$ —
	Bond Interest		
	All Other	—	23,400.00
	TOTAL	<u>\$113,710.00</u>	<u>\$808,404.00</u>

Amounting to \$113,710.00 for the fiscal year ending June 30, 1964 and \$808,404.00 for the fiscal year ending June 30, 1965.

Sec. 2. Deductions. There is hereby appropriated to be deducted from funds made available under the provisions of the private and special laws of 1963, chapter 168, as heretofore passed by this Legislature, the following amounts:

	1963-64	1964-65
AGRICULTURE, DEPARTMENT OF		
Soil Conservation		
All Other	\$(7,460)	\$(7,460)
Capital Expenditures	(2,500)	(2,500)
LIQUOR HEARING EXAMINER		
Administration		
Personal Services	(11,408)	(11,512)
All Other	(1,085)	(1,085)
Capital Expenditures	(700)	(—)

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect July 1, 1963.

Effective July 1, 1963

Chapter 186

AN ACT to Authorize General Fund Bond Issue in Amount of Eight Million Four Hundred Twenty-two Thousand Dollars and to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for the Fiscal Year Ending June 30, 1964.

Preamble. Two-thirds of both Houses of Legislature deeming it necessary in accordance with Section 14 of Article IX of the Constitution to authorize the issuance of bonds on behalf of the State of Maine to provide construction, repairs, equipment, supplies and furnishings.