

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Second Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Second Legislature
1965

'1. **First District.** The first district consists of the divisions of Eastern Aroostook (Caribou) and Western Aroostook (Madawaska and, Fort Kent and Van Buren).'

Effective September 3, 1965

Chapter 229

AN ACT Relating to Lighting of Premises Licensed for Sale of Liquor to be Consumed on the Premises.

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

R. S., T. 28, § 854, repealed and replaced. Section 854 of Title 28 of the Revised Statutes is repealed and the following enacted in place thereof:

‘§ 854. Lighting of premises

All parts of the premises licensed for sale of liquor to be consumed on the premises shall be adequately lighted, as determined by the use of a light meter, but no less than 2 foot candle measurement. The commission shall issue rules and regulations to permit lower lighting levels during periods of entertainment.’

Effective September 3, 1965

Chapter 230

AN ACT Relating to Location of Voters' Marks on Ballots.

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

R. S., T. 21, § 925, sub-§ 2, ¶ C, repealed. Paragraph C of subsection 2 of section 925 of Title 21 of the Revised Statutes is repealed as follows:

~~‘C. Improper location of mark. If a voter fails to mark his ballot so that the intersection of the cross or the apex of the check mark is within the proper square, the mark is ineffective and his vote for the candidate or question concerned must not be counted.’~~

Effective September 3, 1965

Chapter 231

AN ACT to Authorize State Participation in Federally Aided Health Facilities Programs.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Federal Government, through P. L. 88-164, has made available assistance for construction of facilities for the mentally retarded and for community mental health centers, and through P. L. 88-443, has made available assistance for construction and modernization of hospitals and other medical facilities; and

Whereas, approximately \$1,500,000 in federal funds will be available for use under P. L. 88-443, and approximately \$300,000 will be available for use under P. L. 88-164, during the fiscal year ending June 30, 1965, only if certain organizational requisites are met immediately; and

Whereas, at present several facilities have applied for and are eligible for such federal grants; and

Whereas, the present and future welfare of our State is dependent upon new construction and modernization of hospital and other medical facilities, including mental retardation facilities and community mental health centers; and

Whereas, the following legislation is vitally necessary to assist in such new construction and modernization of hospital and other medical facilities, including mental retardation facilities and community mental health centers; 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. R. S., T. 22, §§ 1702, 1704, repealed. Sections 1702 and 1704 of Title 22 of the Revised Statutes are repealed.

Sec. 2. R. S., T. 22, § 1703, amended. The first sentence of section 1703 of Title 22 of the Revised Statutes is amended to read as follows:

'The department shall have authority to accept any federal law now in effect or hereafter enacted which makes federal funds available for public health services of all kinds ~~including the construction of hospitals and health centers~~ and to meet such federal requirements with respect to the administration of such funds as are required as conditions precedent to receiving federal funds.'

Sec. 3. R. S., T. 22, § 1709, additional. Title 22 of the Revised Statutes is amended by adding a new section 1709, to read as follows:

§ 1709. State-wide plan; advisory council; duties

Except where a single state agency is otherwise designated or established in accordance with any other state law, any state officer or state agency, designated by the Governor for such purpose, is authorized to be the sole agency of the State of Maine to establish and administer or supervise the administration of any state-wide plan for the construction, modernization, equipment, maintenance or operation of any facilities for the prevention of physical or mental illness or the provision of care, treatment, diagnosis, rehabilitation, training or related services, which plan is now, or may hereafter be, required as a condition to the eligibility for benefits under any federal law. Such officer or agency is authorized to receive,

administer and expend any funds that may be available under any federal law or from any other source, public or private, for such purposes.

The Governor shall appoint a state advisory council or councils with appropriate representatives, including such representatives as are required as a condition of eligibility for benefits under any federal law, to consult with such state officer or state agency in carrying out the purposes of this chapter.

Each council member shall hold office for a term of 4 years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and the term of office of the members first taking office shall expire, as designated at the time of appointment, $\frac{1}{4}$ of the total number of members at the end of the first year, $\frac{1}{4}$ at the end of the 2nd year, $\frac{1}{4}$ at the end of the 3rd year, and $\frac{1}{4}$ at the end of the 4th year, after the date of appointment. The Governor shall designate the chairman of each such council. Council members, while serving on council business, shall receive no compensation but shall be entitled to receive actual and necessary travel and subsistence expenses while so serving away from their places of residence. The council or councils shall meet as frequently as the chairman thereof deems necessary but not less than once each year. Upon request of 4 or more members of a council, it shall be the duty of the chairman to call a meeting of such council.

Such state officer or state agency is authorized and empowered to comply with or do any and all other acts or things necessary or required to be done as a condition to receiving federal aid or grants with respect to the establishment, construction, modernization, maintenance, equipment or operation for all the people of the State of adequate facilities and services as specified in this section, including the authority:

1. Inventory. To provide for an inventory of existing facilities of a particular category or categories thereof, and to survey the need for additional facilities;
2. Program. To develop and administer a construction program or programs which, in conjunction with existing facilities, will afford adequate facilities to serve the people of the State;
3. Administration. To provide methods of administration, including personnel standards, on a merit basis, and to require reports, make investigations and prescribe regulations;
4. Priority. To provide for priority of projects or facilities;
5. Hearing. To provide to applicants an opportunity for a hearing before such state officer or state agency; and
6. Standards. To prescribe and require compliance with such standards of maintenance and operation applicable to such facilities as are reasonably necessary to protect the public health, welfare and safety.'

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.