

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Second Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

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Sec. 9. Federal programs and funds. The committee shall be the designated state agency to handle all programs of the Federal Government relating to the aging requiring actions within the State which are not the specific responsibility of another state agency under the provisions of federal or state law. Authority is conferred on the committee to accept and use any funds in accordance with established budgetary procedures which might become available pursuant to the purposes set out herein.

Sec. 10. Grants and gifts. The committee may receive on its own behalf or on behalf of the State any grants or gifts and accept same.

Sec. 11. Termination of appointment. The Governor may terminate the appointment of any member of the committee for good and just cause and the reason for the termination of each appointment shall be communicated to each member of the committee.

Sec. 12. Meetings. The committee shall meet at the call of the chairman, and not less than 6 times during the biennium. Members will be reimbursed for expenses incurred in work of the committee at the prevalent state rates.

Sec. 13. Appropriation. There is appropriated from the General Fund Surplus of the State the sum of \$3,000 for the fiscal year ending June 30, 1966 and the sum of \$3,000 for the fiscal year ending June 30, 1967 to be expended in the furtherance of the objectives of the committee.

Effective September 3, 1965

Chapter 200

AN ACT to Allocate Moneys for the Administrative Expenses of the State Liquor Commission for the Fiscal Years Ending June 30, 1966 and June 30, 1967.

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 the State Liquor Commission will become due and payable on or immediately after July 1, 1965; 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. Allocation of Liquor Commission Fund. In order to provide for the necessary expenses for operation and administration of the Maine State Liquor

Commission, the following amounts, or as much as may be necessary, are allocated from the revenues derived from the operations of the commission:

	1965-66	1966-67
Personal Services	(365) \$1,772,365	(365) \$1,858,610
All Other	893,733	867,831
	<u>\$2,666,098</u>	<u>\$2,726,441</u>

Amounting to \$2,666,098 for the fiscal year ending June 30, 1966 and \$2,726,441 for the fiscal year ending June 30, 1967.

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 from these allocations on the basis of such allotments and not otherwise.

Sec. 2. Legislative intent. It is the intent of the Legislature that the allocation of funds by the Legislature, as provided by this Act, shall apply to the administrative expenses only of the Liquor Commission and that such allocations shall be allotted and approved under the Revised Statutes of 1964, Title 5, chapters 141 to 155. It is not intended to affect the use of the Working Capital, provided for by the Revised Statutes of 1964, Title 28, section 56, or other activities required of the State Liquor Commission by the Revised Statutes of 1964, Title 28.

It is further the intent of the Legislature that 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 allocations 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 department head, Budget Officer and 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, and also providing that certification is made, in writing, that such action will not result in an increased request for Personal Service moneys from the Legislature.

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.

Sec. 3. Exclusion. Exclusive of the provisions of sections 1 and 2 above, the commission may expend up to \$50,000 for Capital Expenditures in each year of the 1965-66 and 1966-67 biennium.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect July 1, 1965.

Effective July 1, 1965

Chapter 201

AN ACT Providing for a Legislative Conference Prior to the Convening of the 103rd Legislature.

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

Sec. 1. Prelegislative conference. The Legislative Research Committee is authorized to plan for a prelegislative conference to be held prior to the convening of the 103rd Legislature in regular session to brief the incoming Legislators on the programs of the several state departments, the problems of State Government and the procedures of the Legislature. Such conference shall be held in Augusta in lieu of Orono.

Sec. 2. Appropriation. There is appropriated from the Unappropriated Surplus of the General Fund to the Legislative Research Committee the sum of \$12,000 to carry out the purposes of this Act. Any balance shall not lapse until June 30, 1967.

Effective September 3, 1965

Chapter 202

AN ACT Directing Review of Governmental Immunity.

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

Sec. 1. Review of governmental immunity authorized. The Attorney General is authorized, during the fiscal years commencing July 1, 1965, and terminating June 30, 1967, to study the present general provisions of the statutes and case law relating to governmental immunity of the State, of counties and of municipalities; and to report to the 103rd Legislature the results of such study, together with recommendations for amendments and additions to existing stat-