

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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1965

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

One Hundred and Second Legislature

1965

utes intended to modernize procedures relating thereto. For this purpose the Attorney General may employ such technical and clerical assistance as he may find necessary.

Sec. 2. Advisory committee. The Attorney General is further authorized to appoint an advisory committee of not more than 9 persons representing the State, municipalities, counties, the House and Senate chairmen of the Judiciary Committee of the 102nd Legislature, the Maine Bar Association, the Plaintiffs' Attorneys Association and the Maine Municipal Association, to consult with him and advise during the progress of such study; the members of such committee to be paid necessary expenses actually incurred in attending such meetings as shall be called by the Attorney General.

Sec. 3. Appropriation. There is appropriated from the Unappropriated Surplus of the General Fund the sum of \$10,000 for the fiscal year ending June 30, 1966 to carry out the purposes of this Act. Said sum shall not lapse, but shall remain a continuing carrying account until June 30, 1967.

Effective September 3, 1965

Chapter 203

AN ACT Making Additional Appropriations for the Expenditures of State Government and for Other Purposes 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 departments and institutions 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. 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, 1965 to June 30, 1966 and from July 1, 1966 to June 30, 1967—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 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.

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, 1966 and June 30, 1967. 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 of 1964, Title 5, Section 1544. 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	1965-66	1966-67
19	*Resolve, to Permit Howard G. Richardson, Readfield, Use of his Out-of-State Credits to Obtain a Retirement Allowance Contributions and Transfers	\$ 837.00	\$ —
21	*An Act to Extend Retirement Benefits to Wives of State Police Members Retired Under Noncontributory Statute Contributions and Transfers	5,187.00	5,187.00
59	*An Act to Authorize the Town of Pownal to Form a School Administrative District All Other	3,634.00	3,634.00
101	*Resolve, Providing for Pension for Mrs. Mary Belanger of Caribou All Other	360.00	360.00
472	*Resolve, Providing Pension for Mrs. Viola R. Townsend of Hudson All Other	600.00	600.00

ADDITIONAL APPROPRIATIONS
PRIVATE AND SPECIAL, 1965

1037
CHAP. 203

Legislative Document	Title	1965-66	1966-67
471	*An Act Relating to Retirement Benefits for Fish and Game Wardens and Coastal Wardens Under State Retirement System Contributions and Transfers	—	23,665.00
531	*Resolve, Discharging Town of Brooks from Part of the Indebtedness to State for Preparation of Agreement for Dissolution of School Administrative District No. 3 All Other	3,095.30	—
711	*Resolve, Providing a Pension for Paul Caron of Wallagrass Plantation All Other	960.00	960.00
979	*An Act Establishing the Fire Fighters Arbitration Law All Other	300.00	300.00
1206	*An Act Providing for a Fair Employment Practice Act All Other	500.00	500.00
1235	*An Act to Clarify Certain Portions of Election Laws Relating to Ballots and Relating to Boards of Registration in Certain Towns All Other	\$ 2,000.00	\$ —
1497	*An Act Increasing Compensation of Members of the Legislature, the Governor, Court Justices and Certain Department Heads Personal Services	—	74,100.00
1505	An Act to Reactivate Maine Committee on Problems of the Mentally Retarded Unallocated	13,500.00	13,500.00
1547	*An Act Providing for Appeal of Sentence in Criminal Cases All Other	2,000.00	3,000.00

Legislative Document	Title	1965-66	1966-67
1570	An Act to Revise Workmen's Compensation Law		
	Personal Services (6)	11,292.00 (6)	20,245.00
	All Other	8,465.00	10,000.00
	Capital Expenditures	6,709.00	—
1571	An Act Revising Certain Laws Under the Workmen's Compensation Law		
	Unallocated	3,529.00	3,906.00
EDUCATION, DEPARTMENT OF			
	Aroostook State Teachers College		
	Personal Services	2,750.00	5,520.00
	Provides funds for student labor		
	Maine Vocational Technical Institute		
	Personal Services		
	Librarian (1)	— (1)	—
	Accountant I (1)	— (1)	—
	Building Custodian (1)	— (1)	—
	Dean of Faculty & Night School (1)	— (1)	—
	Director—Culinary Arts and Food Service Director (1)	— (1)	—
	Mechanical Technology—Department Head	— (1)	—
	Mechanical Technology Instructor	— (1)	—
	Machine Shop Instructor	— (1)	—
	(5)	— (8)	—

It is the intent of the Legislature that the above positions be established on a one biennium basis and contingent upon receipt of Federal Funds only. There is no intent to commit the Governor and Council or a future Legislature to provide funds to continue these positions should Federal Funds be discontinued.

—	SECRETARY OF STATE, DEPARTMENT OF		
	Election Division		
	Personal Services	4,000.00	—
	All Other	17,000.00	—
	Cost of referendum—Special Election		
—	*BOND INTEREST		
	All Other	—	242,775.00
—	*DEBT RETIREMENT		
	All Other	—	373,500.00
	TOTAL	<u>\$86,718.30</u>	<u>\$781,752.00</u>

Amounting to \$86,718.30 for the fiscal year ending June 30, 1966 and \$781,752.00 for the fiscal year ending June 30, 1967.

Sec. 2. Deductions. There is hereby appropriated to be deducted from funds made available under the provisions of the private and special laws of 1965, chapter 78, as heretofore passed by this Legislature, the following amounts:

	1965-66	1966-67
FINANCE AND ADMINISTRATION, DEPARTMENT OF		
Property Management Division		
Personal Services	(1) \$ (4,104)	(1) \$ (4,446)
All Other	(8,885)	(8,966)
Reductions realized through phasing out of Western Maine Sanatorium		

There is hereby appropriated to be deducted from funds made available under the provisions of the private and special laws of 1965, chapter 161, as heretofore passed by this Legislature, the following amount:

	1965-66	1966-67
MENTAL HEALTH AND CORRECTIONS, DEPARTMENT OF		
Stevens Training Center		
Gymnasium	\$ (62,000)	\$ (—)
Adjusted to correct cost of project		

Sec. 3. Application. Funds to finance the starred items in this Act, notwithstanding the provisions of Legislative Document 1590 of the 102nd Legislature, shall come from the "General Fund" rather than the Unappropriated Surplus of the General Fund.

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