

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fourth Legislature

OF THE

STATE OF MAINE

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THE KNOWLTON AND MCLEARY COMPANY
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1969

PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Third Legislature
AT THE
SPECIAL SESSIONS

October 2-3, 1967

January 9-26, 1968

September 18, 1968

Chapter 225

AN ACT to Appropriate and Provide Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1968 and June 30, 1969.

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 fourth quarter of the current fiscal year; and

Whereas, certain obligations and expenses incident to the operation of departments and institutions will become due and payable immediately; 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:

Appropriations for necessary expenditures of government. In order to provide for the necessary expenditures of government and for other purposes during the next two fiscal years—starting January 1, 1968 to June 30, 1968 and from July 1, 1968 to June 30, 1969—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 recommended by the State Budget Officer and approved by 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 provision 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 recommended by the department head and the Budget Officer, and approved by the Governor and Council. To provide some degree of flexibility, each de-

partment, 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, and shall report any expenditures contrary to such intent to the Governor and Council.

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.

The Budget Office shall inform the Committee on Appropriations and Financial Affairs through the Legislative Finance Office of significant action recommended by it in the performance of the budget responsibilities hereby assigned.

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, 1968 and June 30, 1969. 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 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 temporarily curtail allotments equitably 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

SECTION A

Department		1967-68		1968-69
ADJUTANT GENERAL				
Personal Services	(1)	—	(1)	—
Provides 1 count position to be funded by Federal Funds				
ATTORNEY GENERAL				
Personal Services	(1)	1,835	(1)	3,850
All Other		5,940		10,500
Capital Expenditures		10,250		—
Provides funds for one additional Clerk Stenographer II, an expanded telephone system, travel expense, 3 automobiles and additional office equipment				
BOXING COMMISSION				
All Other		1,000		1,500
Provides additional operating funds				
CONTRIBUTIONS AND TRANSFERS TO OTHER FUNDS				
To General Highway Fund				
General Fund's Share of State Police Costs—25%				
Administration		16,455		23,426
Provides funds for 13 additional State Troopers and related expense				
To Special Revenue Funds				
Division of Economic Opportunity		—		15,000
Provides additional operating funds to continue the Federal Matching Program				
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Total Contributions and Transfers		16,455		38,426

ECONOMIC DEVELOPMENT

All Other	40,000		25,000
Provides \$15,000 for plans and final drawings for a new Information Center at Kittery, and \$25,000 each year for Maine's share of a region-wide tourist promotion program			

EDUCATION

Adult Vocational Education

All Other	15,000		30,000
To supplement Federal funds for Area Vocational Programs, for Apprentices and Other Adult Workers			

Administration

Personal Services	(4)	6,943 (10 ¹ / ₂)	55,690
All Other		15,400	36,650
Capital Expenditures		1,500	3,423

Provides for 1 Stockroom Clerk, 1 Mail Clerk I, 1 Dept. Personnel Officer, 4 Clerk Steno II positions, 1 Budget Examiner, 1 Supervisor of Audits, 1 Computer Programmer and 1/2 position of Clerk Typist III. Provides additional operating funds due to moving to new location and increased workloads and for initial purchase of furniture and equipment

Educational Television

Personal Services		— (1/2)	2,017
Provides funds for 1/2 position, Clerk Typist II			

Farmington State College

Personal Services		— (10)	64,090
All Other		15,000	54,700
Capital Expenditures		7,500	15,000

Provides funds for 6 Associate Professors and 4 Clerical & Plant employees due to increased enrollment. Also provides for library acquisitions, educational supplies, feeding additional students and equipment for new staff and laboratory. Produces \$62,040 in undedicated revenue in 1968-69

Student Scholarship Administration

All Other		—	61,000
It is the intent of the Legislature			

that these funds are to implement those scholarships for the students presently involved in the program for the remainder of the 1967-69 biennium

Gorham State College

Personal Services	—	(8)	53,066
All Other	—		19,950
Capital Expenditures	—		15,000

Provides funds for 4 Associate Professors, 3 Clerical & Plant employees and 1 Assistant Dean of Women due to increased enrollment with related expenses. Produces \$41,700 in undedicated revenue in 1968-69

Washington State College

Personal Services	—	(7)	40,950
All Other	—		13,000
Capital Expenditures	—		10,000

Provides funds for 4 Associate Professors, 2 Clerk Stenographers and 1 Accountant II. Also provides for library books, feeding costs of additional students and equipment for Administrative Office including new staff. Produces \$11,200 in undedicated revenue in 1968-69

Fort Kent State College

Personal Services	—	(4)	21,411
All Other	—		10,000

Provides funds for 2 Associate Professors, 1 Clerk Typist III and 1 Library Assistant. Also provides funds for feeding additional students. Produces \$11,840 in undedicated revenue in 1968-69

Aroostook State College

Personal Services	—	(3)	20,500
All Other	—		12,250
Capital Expenditures	—		1,200

Provides funds for 2 Associate Professors, 1 Clerk Typist II and for student labor. Also provides funds for feeding additional students, other related expenses and furniture for new staff. Produces undedicated revenue of \$15,228 in 1968-69

Schooling of Indian Children

Personal Services	3,600	(5)	38,500
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All Other		1,500		7,500
Capital Expenditures		—		5,000
Provides funds for 3 Special Teachers, 1 Regular Teacher and 1 Cook, also funds for additional salary costs due to change in work week hours of Cooks & Janitors and the hiring of higher salaried teachers. Provides additional funds for school lunch programs and instructional equipment				
Matching Funds — National Defense Education Act				
All Other		6,000		6,000
Provides funds to offset loss of Federal funds caused by change in Federal legislation				
Maine Educational Council				
Unallocated		—		4,000
Provides operating funds for the Maine Educational Council				
School of Practical Nursing—Waterville				
Personal Services		—	(1)	8,427
Provides for 1 Clinical Supervisor of Student Nurses and funds to extend work week of half-time instructional position from 34 weeks to 52 (presently authorized by Council Order). Also provides funds for part-time nutrition instructor				
Vocational Rehabilitation				
Personal Services	(2)	975	(2)	3,075
All Other		300		300
Capital Expenditures		500		100
Provides for State share of 1 Rehabilitation Counselor III and 1 Statistician I and related expenses due to establishment of rehabilitation centers in correctional institutions				
Donated Commodities Program				
Personal Services	(7/10)	3,584	(7/10)	3,584
All Other		7,202		—
Provides funds for full salary of the Director and Secretary to be charged to this account. Also provides funds to pay accumulated overcharge to Federal Government. Produces \$2,550 in undedicated revenue in each year				
School of Practical Nursing — Southern				

APPROPRIATIONS FOR STATE EXPENDITURES
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Maine

Personal Services	—	(1)	7,670
Provides for 1 Clinical Supervisor of Student Nurses and funds for employment on a part-time basis for 2 instructors			

Northern Maine Vocational-Technical Institute

Personal Services	—	(5)	29,600
Provides funds for 2 Business Education Instructors, 1 Nursing Instructor, and 2 Custodial Workers			

Southern Maine Vocational-Technical Institute

Personal Services	(3)	—	(3)	—
Provides 3 additional positions to be funded from Dedicated Revenue				

Central Maine Vocational-Technical Institute

Personal Services	(2)	6,000	(7½)	41,680
All Other		11,605		4,550
Capital Expenditures		16,167		—
Provides funds for Practical Nurse Training Course, the necessary faculty and related expenses. Produces undedicated revenue of \$15,260 in 1968-69				

Training of Firemen

Personal Services	—	(1)	4,495
Provides funds for 1 Fire Instructor			

Eastern Maine Vocational-Technical Institute

Personal Services	6,000		6,000
Provides funds for student labor to offset loss of Federal Vocational Work-study Funds			

Total Education	124,776		710,378
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FINANCE AND ADMINISTRATION

Bureau of the Budget

Personal Services	(2)	—	(2)	9,360
All Other		1,000		2,000
Capital Expenditures		500		—

Provides funds for two Account Clerk II positions to supplement present staff. Also provides funds for required travel and related office equipment

Administration		
Unallocated	—	50,000
Provides funds to coordinate use of Automatic Data Processing		
Taxation		
All Other	3,000	—
Provides funds for expense caused by two Cigarette Tax increases		
Total Finance and Administration	<u>4,500</u>	<u>61,360</u>

HEALTH AND WELFARE

Child Welfare Services—State Funds		
All Other	—	100,000
Provides funds for increased cost of child care		
General Administration		
All Other	—	50,000
Provides additional administrative funds to cover increased cost		
Work Training Program		
All Other	—	25,000
Provides funds for increased requirements of the Work Training and job Referral Program. This would generate \$75,000 in Federal funds		
Total Health and Welfare	<u>—</u>	<u>175,000</u>

INDIAN AFFAIRS

Personal Services	(3)	1,560	(3)	3,120
All Other		18,000		—
Provides Budget Line positions and salary increase for three Reservation Chaplains. This count, along with an Administrative transfer, will authorize payment by salary rather than by contract. Also provides additional funds to cover current operating deficit				

INSURANCE

Administration		
All Other	2,625	2,100
Capital Expenditures	119	—
Provides additional funds to cover increased operating costs		

INTEREST ON BONDS

APPROPRIATIONS FOR STATE EXPENDITURES
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All Other		16,000		344,000
Provides funds for interest on Temporary Borrowing the first year and newly ratified Bond Issues the second year				
LABOR AND INDUSTRY				
Personal Services	(1)	—	(1)	—
Provides one Budget Line position to be funded from Dedicated Revenues				
LEGISLATIVE RESEARCH COMMITTEE				
Personal Services		1,000		3,000
All Other		6,000		12,000
Provides additional operating funds				
MAINE MARITIME ACADEMY				
All Other		75,000		—
Provides funds for necessary salaries, additional employees and books				
MAINE PORT AUTHORITY				
All Other		13,436		—
Provides funds for salary adjustments				
MAINE STATE ARCHIVES				
Personal Services		—	(2)	14,872
All Other		—		2,000
Capital Expenditures		—		500
Provides funds for 1 Records Technician I and 1 Records Technician II and related expenses				
MAINE STATE LIBRARY				
All Other		1,512		—
Provides funds to purchase 200 copies of the Vital Records of the Town of Clinton				
MENTAL HEALTH AND CORRECTIONS				
Administration				
Personal Services		4,000		8,500
All Other		1,250		2,500
Provides funds for the employment of a Coordinator to implement the Community Action Program for				

Juvenile Delinquency with related expenses

Augusta State Hospital

Personal Services	(66)	43,000	(66)	90,200
All Other		10,000		30,000

Provides funds for 15 Psychiatric Aides and funds to implement salary increases for nurses granted in June 1967 but not funded. Also provides 51 Budget Line positions to allow implementation of 40 hour week for employees and additional funds for uniforms, clothing, supplies and other essential items

Bangor State Hospital

Personal Services	(38)	5,200	(38)	10,400
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Provides funds to implement the salary increases for nurses granted in June 1967 but not funded. Also provides 38 Budget Line positions to allow implementation of 40 hour week for employees

Pineland Hospital and Training Center

Personal Services	(43)	—	(43)	—
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Provides 43 Budget Line positions to allow implementation of 40 hour week for employees

Stevens School

All Other		3,000		5,000
Capital Expenditures		2,500		4,000

Provides funds to upgrade the program and provide essential supplies and furniture for Half-way House and school building

Community Mental Health Service

All Other		15,000		25,000
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Provides funds to increase subsidies to approved Community Mental Health project

Total Mental Health and Corrections		<u>83,950</u>		<u>175,600</u>
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SECRETARY OF STATE

Elections

Personal Services		—		1,000
All Other		15,000		16,000

Provides funds for referendum costs

UNIVERSITY OF MAINE

Administration		
All Other	1,400,255	300,000
Provides funds to allow increased enrollment. Also provides funds for research and supporting endeavors		
Oceanography		
All Other	—	150,000
Provides funds for expected Oceanography expenses. Includes \$50,000 to provide staff for Consortium of Education Institutions		
Total University of Maine	1,400,255	450,000

CONSTRUCTION RESERVE

Capital Expenditures	100,000	—
Provides funds to replenish the Construction Reserve Account		
TOTAL SECTION A	<u>1,939,213</u>	<u>2,050,206</u>

Amounting to \$1,939,213 for the fiscal year ending June 30, 1968 and \$2,050,206 for the fiscal year ending June 30, 1969.

Section B

Deductions. There is appropriated to be deducted from funds made available under the private and special laws of 1967, chapter 154, Section A, as heretofore passed by this Legislature, the following amounts:

	1967-68	1968-69
EDUCATION, DEPARTMENT OF		
Superintendents of Towns Comprising School Unions		
Personal Services	—	(168,750)
Subsidies—Special Education		
All Other	(80,000)	(55,000)
Subsidies—Driver Education		
All Other	—	(10,000)

Section C

Deduction. There is appropriated to be deducted from funds made available under the private and special laws of 1967, chapter 191, Section A, as heretofore passed by this Legislature, the following amount:

	1967-68	1968-69
EDUCATION, DEPARTMENT OF		
New England Higher Education Compact		
All Other	(20,000)	—
General Purpose Subsidies to Cities and Towns		
All Other	—	(250,000)

**APPROPRIATIONS FROM THE UNAPPROPRIATED SURPLUS OF
 THE GENERAL FUND**

Section D

	1967-68
EDUCATION	
Farmington State College	
Conversion of Purinton Hall	70,000
Southern Maine Vocational-Technical Institute	
Purchase of Land	25,000
Total Education	<u>95,000</u>
FINANCE AND ADMINISTRATION	
Bureau of Public Improvements	
Acquisition of Land for Parking	300,000
MENTAL HEALTH AND CORRECTIONS	
Bangor State Hospital	
X-Ray Unit Replacement and Renovations	20,000
Pineland Hospital and Training Center	
Fire Protection and Safety	15,000
Boys Training Center	
Completion of Boys Living Cottage #3	90,000
Stevens School	
Master Locking System and Security and 1 radio-equipped car	10,000
Additional Renovations and Remodeling of Buildings	100,000
Fire Prevention and Safety Projects	50,000
Total Mental Health and Corrections	<u>285,000</u>
PARK AND RECREATION COMMISSION	
Land and Building Acquisitions and Repairs to Historic Sites	<u>120,000</u>

TOTAL

\$ 800,000

The above Appropriations from Unappropriated Surplus shall not lapse at June 30, 1968 but shall carry forward until June 30, 1969.

Section E

P. & S. L., 1967, c. 191, Section A, amended. Section A of chapter 191 of the private and special laws of 1967 is amended by adding after the heading — **Finance and Administration, Department of** and the sub-heading — Bureau of Public Improvements, the following:

Any unexpended balance of the above amount shall not lapse until June 30, 1969.

Section F

P. & S. L., 1967, c. 191, Section B, amended. Section B of chapter 191 of the private and special laws of 1967 is amended by adding at the end, a new paragraph, as follows:

Any unexpended balances, in Section B above, shall carry forward at June 30, 1968, but all unencumbered balances shall lapse at June 30, 1969.

Section G

P. & S. L., 1967, c. 191, Section B, amended. The 5th paragraph under the caption "**Mental Health and Corrections, Department of**" of Section B of chapter 191 of the private and special laws of 1967 is amended to read as follows:

Stevens Training Center Acquisition of Land	4,500	
Roads, Utilities and Renovations	42,500	47,000
Fire Prevention and Safety Project	10,000	

Section H

P. L., 1967, c. 458, § 3, repealed and replaced. Section 3 of chapter 458 of the public laws of 1967 is repealed and the following enacted in place thereof:

Sec. 3. Appropriation. There is appropriated from the General Fund to the Capitol Planning Commission the sum of \$5,000 for the fiscal year ending June 30, 1968 and the sum of \$5,000 for the fiscal year ending June 30, 1969 to carry out the purposes of this Act.

The breakdown shall be as follows:

	1967-68	1968-69
CAPITOL PLANNING COMMISSION		
All Other	\$5,000	\$5,000

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

Effective January 26, 1968

Chapter 226

AN ACT to Authorize the Construction of a Bridge Across the Androscoggin River Between the Cities of Auburn and Lewiston.

Preamble. Two-thirds of both Houses of the Legislature deeming it necessary in accordance with Section 14 of Article IX of the Constitution of Maine.

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

Sec. 1. Highway Commission authorized to construct bridge across the Androscoggin River. The State Highway Commission is authorized to construct a bridge across the Androscoggin River between the Cities of Auburn and Lewiston with approaches thereto at an estimated cost of \$4,500,000. The cost of said bridge, with the highway approaches thereto, shall be taken and appropriated from the proceeds of bonds issued under authority of this Act.

Sec. 2. Treasurer of State to issue bonds. The Treasurer of State is authorized, under the direction of the Governor and Council, to issue from time to time serial coupon bonds redeemable before maturity in the name and behalf of the State to an amount not exceeding \$4,500,000 for the purpose of raising funds for the construction of said bridge and approaches, as provided in this Act. Said bonds shall be deemed a pledge of the faith and credit of the State. Said bonds when paid at maturity or otherwise retired shall not be reissued, but may be refunded on terms more favorable to the State than those in the original issue.

Sec. 3. Records of bonds issued to be kept by State Auditor and Treasurer of State. The State Auditor shall keep an account of such bonds, showing the number and amount of each, the date of countersigning, the date when payable and the date of delivery thereof to the Treasurer of State, who shall keep an account of each bond, showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of sale and the date when payable.

Sec. 4. Sale, how negotiated; proceeds appropriated. The Treasurer of State may negotiate the sale of such bonds by direction of the Governor and Council; but no such bond shall be loaned, pledged or hypothecated in behalf of the State. The proceeds of the sales of such bonds, which shall be held by the Treasurer of State and paid by him upon warrants drawn by the Governor and Council, are appropriated to be used solely for the purposes set forth in this Act. Any balance unexpended shall not lapse, but shall be carried forward to the same account to be used only for the purposes herein set forth.