

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

## One Hundred and Fourth Legislature

OF THE

# STATE OF MAINE

Published by the Director of Legislative Research in accordance with  
the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1969

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the One Hundred and Fourth Legislature

1969

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### Chapter 99

#### AN ACT to Allocate Moneys for the Administrative Expenses of the State Liquor Commission for the Fiscal Years Ending June 30, 1970 and June 30, 1971.

**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, 1969; 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:

		1969-70		1970-71
Personal Services	(382)	\$2,358,512	(366)	\$2,380,730
All Other		1,019,078		1,021,917
		<u>\$3,377,590</u>		<u>\$3,402,647</u>

Amounting to \$3,377,590 for the fiscal year ending June 30, 1970 and \$3,402,647 for the fiscal year ending June 30, 1971.

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 allo-

cations shall be allotted and approved under provisions of 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 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 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 nonrecurring personal services when recommended by the department head and the Budget Officer, and approved by the Governor and Council. Said savings shall not be used for reclassifications, range changes or special merit increases. 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, by the department head and the Budget Officer that such action will not result in an increased request for personal service moneys from the next Legislature.

The Budget Office, during the next biennium, shall continually review with all departments the statutes 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.

Personal Service allocations of the Liquor Commission may be increased by the Budget Officer with the approval of the Governor and Council to specifically cover those adjustments determined to be necessary under any salary plan approved by 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 \$250,000 for Capital Expenditures in the fiscal year ending June 30, 1970 and up to \$50,000 for Capital Expenditures in the fiscal year ending June 30, 1971.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect July 1, 1969.

Effective July 1, 1969

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## Chapter 100

### An ACT to Amend the Charter of the City of Ellsworth.

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

**Sec. 1. P. & S. L., 1933, c. 34, Art. II, § 1, amended.** The first paragraph of section 1 of Article II of chapter 34 of the private and special laws of 1933 is amended to read as follows:

The administration of all the fiscal, prudential and municipal affairs of said city, with the government thereof, ~~except the general management, care, conduct and control of the schools of said city, which shall be vested in a school committee as hereinafter provided, and also~~ except as otherwise provided by this charter, shall be and hereby is vested in one body of 5 members, which body shall constitute, and be called the city council, all of whom shall be and remain during their term of office inhabitants of said city, and shall be sworn in the manner hereinafter prescribed. Said city council shall exercise its powers in the manner hereinafter provided.

**Sec. 2. P. & S. L., 1933, c. 34, Art. II, § 1, amended.** The last paragraph of section 1 of Article II of chapter 34 of the private and special laws of 1933 is repealed as follows:

~~The said city shall continue to be divided for election purposes into 5 wards with the now existing boundaries.~~

**Sec. 3. P. & S. L., 1933, c. 34, Art. II, § 2, amended.** The last sentence of section 2 of Article II of chapter 34 of the private and special laws of 1933 is repealed and the following enacted in place thereof:

Members of the city council shall receive compensation to be set by resolve of the city council not to exceed \$600 per member per year.

**Sec. 4. P. & S. L., 1933, c. 34, Art. III, repealed and replaced.** Article III of chapter 34 of the private and special laws of 1933 is repealed and the following enacted in place thereof: