

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fifth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with  
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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1971

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PRIVATE and SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

One Hundred and Fifth Legislature

1971

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**Sec. 3. R. S., T. 12, § 501-A, sub-§ 9, additional.** Section 501-A of Title 12 of the Revised Statutes, as enacted by section 3 of chapter 226 of the public laws of 1965, is amended by adding a new subsection 9, to read as follows:

**9. Science, technology and mineral resources. A Division of Science, Technology and Mineral Resources.**

**Sec. 4. Transitional provisions.** It is the intent of the Legislature to transfer existing personnel and budget of the Division of Science, Technology and Mineral Resources of the Department of Economic Development as a division without reclassification to the Forestry Department.

### Section E

**R. S., T. 22, § 3502, amended.** The next to the last sentence, as amended by chapter 232 of the public laws of 1969, and the last sentence of section 3502 of Title 22 of the Revised Statutes, are amended to read as follows:

The sums necessary for the support and instruction of such pupils in such school, including all traveling expenses of such pupils ~~attending such school,~~ ~~shall~~ may be paid by the State. Nothing herein contained shall be held to prevent the ~~voluntary~~ Department of Health and Welfare from securing whole or partial payment of the whole or any part of such sums ~~by~~ from the parents or guardians of such pupils or from local school systems.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect July 1, 1971.

Effective July 1, 1971

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## Chapter 92

**AN ACT to Allocate Moneys for the Administrative Expenses of the State Liquor Commission for the Fiscal Years Ending June 30, 1972 and June 30, 1973.**

**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, 1971; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the fol-

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lowing 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 :

	1971-72		1972-73
Personal Services	(347) \$2,435,363	(347)	\$2,456,069
All Other	1,138,782		1,144,470
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	\$3,574,145		\$3,600,539

Amounting to \$3,574,145 for the fiscal year ending June 30, 1972 and \$3,600,539 for the fiscal year ending June 30, 1973.

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 provisions of the Revised Statutes, Title 5, chapters 141 to 155. It is not intended to affect the use of the Working Capital, provided for by the Revised Statutes, Title 28, section 56, or other activities required of the State Liquor Commission by the Revised Statutes, 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 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 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, 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 \$50,000 for Capital Expenditures in each year of the 1971-72 and 1972-73 biennium.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect July 1, 1971.

Effective July 1, 1971

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## Chapter 93

**AN ACT to Reconstitute School Administrative Districts Numbers 12, 22, 59, 73, 74, 75, 76 and 77.**

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

**Sec. 1. School Administrative District No. 12 reconstituted and established; validation of proceedings in member municipalities.** The municipalities of Dennistown Plt., Jackman and Moose River are constituted to be and to have been since March 31, 1969, a School Administrative District, known as School Administrative District No. 12, with all of the powers, privileges and franchises granted to School Administrative Districts according to the Revised Statutes of 1964, Title 20, sections 211 to 307. The proceedings taken in the town meetings held in the municipalities of Dennistown Plt., Jackman and Moose River, wherein it was voted that Dennistown Plt. join School Administrative District No. 12, are validated, confirmed and made effective.