

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature
1ST SPECIAL SESSION
JANUARY 2, 1974 TO MARCH 29, 1974
AND BY THE
One Hundred and Seventh Legislature
REGULAR SESSION
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,
SECTION 164, SUBSECTION 6.

THE KNOWLTON AND McLEARY COMPANY
FARMINGTON, MAINE
1975

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

One Hundred and Sixth Legislature

AT THE

SPECIAL SESSION

January 2, 1974

to

March 29, 1974

He shall hold office for a term of 6 7 years from the date of his appointment and until his successor has been appointed and qualified.

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

Effective March 29, 1974

CHAPTER 221

AN ACT Making Supplemental Appropriations from the General Fund for the Fiscal Year Ending June 30, 1975 and Changing Certain Provisions of the Law Necessary to the Proper Operation of State Government.

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

GENERAL FUND

APPROPRIATIONS FROM GENERAL FUND

Sec. 1. Appropriations from General Fund. In order to provide for necessary expenditures of government and other purposes for the fiscal year—July 1, 1974 to June 30, 1975—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.

DEPARTMENT	1974-75
AGRICULTURE, DEPARTMENT OF	
Departmental Operations	
Personal Services	(5) —
Provides 5 count positions omitted in Current Services budget.	
ATLANTIC SEA RUN SALMON COMMISSION	
All Other	\$ 13,500
Provides an additional amount for the Union River Fishtrap Project.	
COMMERCE AND INDUSTRY, DEPARTMENT OF	
Departmental Operations	
All Other	4,000
Provides funds to help defray the travel expenses of young amateur skiers representing Maine in regional and national competitions.	
CONSERVATION, DEPARTMENT OF	
Municipal Recreation Fund	
All Other	100,000
Provides funds for grant-in-aid to municipalities.	

DEPARTMENT

1974-75

CONSERVATION, DEPARTMENT OF—Continued

Parks and Recreation

All Other

15,000

Provides funds to enable localities to establish several pilot study areas to monitor the effect of bikeways. These funds shall be matched by 50% local funds and shall be administered through Parks and Recreation Bureau with Department of Transportation approval.

Entomology

Personal Services

(3)

31,800

All Other

4,800

Provides count positions to increase 3 seasonal employees to permanent, provides additional seasonal help with related expenses to do research work in the area of spruce budworm control.

Bureau of Public Lands

Personal Services

(4)

45,000

All Other

15,000

Capital Expenditures

2,000

Provides additional operating funds to carry out program.

DISTRICT COURT

Court Operations

Personal Services

(6)

—

Unallocated

55,000

Provides 6 additional employees and additional travel funds. Increases Undedicated Revenue \$55,000.

EDUCATIONAL AND CULTURAL SERVICES,
DEPARTMENT OF

Eastern Maine Vocational Technical Institute

Personal Services

(3)

21,876

All Other

55,200

Provides funds for the new Dormitory and Gymnasium; 2 Building Custodians, 1 House Parent, \$30,000 for feeding and \$25,200 for operational expenses. Increases Undedicated Revenue \$79,000.

Washington County Vocational Technical Institute

Personal Services

(9)

89,417

All Other

49,650

Capital Expenditures

69,545

DEPARTMENT

1974-75

EDUCATIONAL AND CULTURAL SERVICES,
DEPARTMENT OF—Continued

Provides for 6 Instructors and related expenses for new or expanded programs, and 2 Custodial Workers, 1 Counselor and operating funds for new Dormitory. Increases Undedicated Revenue \$49,500.

Central Maine Vocational Technical Institute		
All Other		34,040
Provides \$14,000 for feeding, \$6,000 for Professional Fees and \$14,040 for security service. Increases Undedicated Revenue \$44,000.		
Southern Maine Vocational Technical Institute		
Personal Services	(1)	—
Provides 1 count position omitted in Current Service budget.		
Kennebec Valley Vocational Technical Institute		
All Other		8,500
Provides funds for City of Waterville to employ additional instructor in secretarial science program.		
Schooling of Children of Unorganized Territory		
Personal Services	(1)	8,700
Provides for 1 teacher of the handicapped.		
Museum Bureau		
All Other		5,000
Provides operational funds for the Burleigh Building.		
Educational TV		
All Other		26,000
Provides additional funding for WCBB Public Television.		
Grant, Loan and Scholarship Programs		
All Other		91,000
Provides funds for 15 added students at the University of Vermont School of Medicine, and \$16,000 additional for Tufts Dental School.		
State Library Bureau		
\$336,199 appropriated for the State Library Bureau in P. & S.L., 1973, c. 202 relates to programs previously financed with federal Library funds. Accordingly, funds up to the amount of \$336,199 which are received from Federal sources for such programs shall be deposited to the undedicated revenue of the General Fund.		

DEPARTMENT

1974-75

EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF—
Continued

Northern Maine Vocational Technical Institute
 Capital Expenditures 26,000
 Provides funds to renovate Building No. 314 for
 additional shop space.

Student Tuition Equalization Fund
 All Other 100,000
 Provides funds to increase the per student tuition
 grant to \$900 under the Student Tuition Equal-
 ization Fund.

EXECUTIVE, DEPARTMENT OF

Law Enforcement Planning and Assistance
 Funds provided by P. & S. L., 1973, c. 108 and
 P. & S. L., 1973, c. 202 for this account shall not
 lapse but shall be carried forward from year to
 year to be expended for the same purpose.

FINANCE AND ADMINISTRATION, DEPARTMENT OF

Bureau of the Budget
 Personal Services (4) 47,855
 All Other 32,000
 Provides funds for four new Examiner positions
 plus contractual services for a Senior Systems
 Analyst to develop and coordinate the implemen-
 tation of an automated budget system.

Bureau of Taxation
 Personal Services (11) 84,816
 All Other 14,359
 Capital Expenditures 825
 Provides funding for eleven new positions and
 related costs. Five positions in the Income Tax
 Division and six positions in the Delinquent Ac-
 counts Section.

Tax Relief for the Elderly
 All Other (234,936)
 Deletes funds previously provided to pay refunds
 to people who are now eligible for Supplemental
 Security Income and should no longer be eligible
 for tax refunds.

Insurance Advisory Board
 All Other 30,000
 Provides additional funding of the Fire Insur-
 ance Program.

Bureau of Property Taxation
 State Board of Assessment Review

DEPARTMENT

1974-75

FINANCE AND ADMINISTRATION, DEPARTMENT OF--Continued

Personal Services		(30,755)
All Other		(5,000)
Reduces appropriation due to delay in implementation of program.		
Administration		
Personal Services	(6)	60,800
All Other		4,000
Capital		5,650
Provides additional positions and related expenses to carry out the duties of the Bureau.		
Property Management Division		
Personal Services		6,000
All Other		24,000
Capital Expenditures		32,500
Provides personal services and all other funds for minimum custodial program at Skowhegan due to closing and capital funds for replacing cafeteria equipment and start of storm window program at State House and Office Building. Provides \$20,000 for City of Augusta for fire fighting equipment.		
Bureau of Purchases		
Personal Services		994
Provides funds to reclassify the Director of Public Printing.		
HEALTH AND WELFARE, DEPARTMENT OF		
Aid to Charitable Institutions		
All Other		6,000
Provides funds for a grant to the St. Louis Home for Boys.		
Bureau of Social Welfare - Administration		
Personal Services	(4)	29,272
Provides for two investigators and two clerks for Support Enforcement and Location Unit.		
Personal Services	(-11)	(104,049)
All Other		(246,596)
Deletes 11 regional assistance payment staff and related costs of \$46,596 formerly required to administer Aid to the Aged, Blind and Disabled. Retains Central office staff responsible for control and supervision of the Supplemental Security Income program. Reduces previous appropriations in the amount of \$200,000 now budgeted to provide regional social services by Department staff and activities. Reductions by the Department shall not reduce the amount of state or		

DEPARTMENT

1974-75

HEALTH AND WELFARE, DEPARTMENT OF—Cont.

federal funds for grants to, or contracts and purchase of service agreements with public or private agencies.

Medical Care

All Other

Provides additional funding for increased costs.

500,000

Office of Alcoholism and Drug Abuse

All Other

Provides additional funds for a network of state approved alcoholism facilities and services.

150,000

Intermediate Care

All Other

Provides funds to raise payment rates in order to meet increased operating costs attributable to each facility.

350,000

General Assistance

All Other

Reduces previous appropriation in the amount no longer required in lieu of increased payments under other income assistance programs.

(600,000)

Child Welfare Services

All Other

Provides funds for continuing increased payments to foster parents and residential facilities for care of children committed to the custody of the State.

229,986

Aid to Families with Dependent Children

All Other

Provides \$3,010,080 to increase AFDC payment maximums 30% effective September 1, 1974; and provides \$91,459 to increase payments to foster parents and residential facilities for care of children by earning federal matching money under the Social Security Act.

3,101,539

Supplemental Security Income—Mandatory

All Other

(455,499)

Supplemental Security Income—Optional

All Other

Provides funds to continue optional supplementation to aged, blind and disabled people requiring adult foster home and boarding home care. The payment rates and structure set by the Department shall provide for administration by the U.S. Social Security Administration to the great-

2,316,540

DEPARTMENT

1974-75

HEALTH AND WELFARE, DEPARTMENT OF—Continued

est extent permitted under federal law, rules and regulations. Funds also shall provide, effective with the first optional payments administered by the U.S. Social Security Administration, supplementation of the S.S.I. payment standard in the amount of \$8 for an individual and \$12 for a couple, and supplementation related to living arrangements. The Department shall take such action as is necessary to achieve effective July 1, 1974 administration by the U.S. Social Security Administration of so much of the S.S.I. program, including both the so called "mandatory" and "optional" programs, as is permitted under federal law, rules and regulations.

Priority Social Services

All Other

(238,500)

Reduces previous appropriation no longer required in lieu of changes in federal law and regulations. The reduction shall not be made in that portion of the account designated to benefit older Americans.

HUMAN RIGHTS COMMISSION

Personal Services

(1)

9,410

All Other

5,190

Capital Expenditures

400

Provides funds for one investigator position plus related costs.

INDIAN AFFAIRS, DEPARTMENT OF

Department Operations

Personal Services

(1)

—

Provides one position count omitted in error in Current Services budget.

Penobscot Tribal Reservation Housing Authority

All Other

10,000

Provides additional funds for administration of programs for water and sewerage, housing, and for a neighborhood facility.

Pleasant Point Passamaquoddy Reservation Housing Authority

All Other

5,500

Provides additional funds for operations.

Indian Township Passamaquoddy Reservation Housing Authority

All Other

15,000

Provides additional funds for operations.

LEGISLATIVE

Personal Services

63,000

All Other

100,000

DEPARTMENT	1974-75	
LEGISLATIVE—Continued		
Provides additional funds for operation of the Legislature.		
Personal Services	(2)	30,000
Provides 2 additional positions for budget and program review and analysis.		
MAINE STATE HOUSING AUTHORITY		
Mortgage Insurance Program		
Unallocated		100,000
Provides \$25,000 for repayment to the Executive Council and \$75,000 for operations of the Authority. This appropriation is on a loan basis and is to be repaid within five years.		
MANPOWER AFFAIRS, DEPARTMENT OF		
Bureau of Labor and Industry		
All Other		7,000
Provides additional operating funds.		
MENTAL HEALTH AND CORRECTIONS, DEPARTMENT OF		
Departmental Operations		
Personal Services	(2)	24,092
All Other		6,900
Boys Training Center		
Personal Services	(-2)	(24,092)
All Other		(6,900)
Provides for the reallocation of two positions and supporting funds to be used as Correctional Plans Coordinator and Jail Inspector.		
Halfway House Program		
Personal Services	(9)	68,275
All Other		13,394
Provides positions and related expenses to fund the program in one location.		
Probation and Parole		
Personal Services	(5)	40,424
All Other		685
Provides 1 Youth Coordinator and 4 additional Probation Officers and related expenses.		
Department Wide		
Personal Services	(-31)	(252,053)
Reduces funds appropriated to the department. It is the intent of the Legislature that these re-		

DEPARTMENT

1974-75

MENTAL HEALTH AND CORRECTIONS,
DEPARTMENT OF—Continued

ductions in positions and funds be made on a department basis in non-direct care personnel, filled or vacant positions, determined by the Commissioner of Mental Health and Corrections.

Pineland Hospital and Training Center		
Personal Services	(31)	252,053
Provides additional staff for care of patients at this center.		
Maine State Prison		
Personal Services	(-18)	—
Corrects error in employee count to 168 authorized positions.		
Bureau of Mental Health		
All Other		100,000
Provides funds for new Bancroft School program. This appropriation is contingent upon a Federal grant being received.		

MAINE ASSOCIATION FOR RETARDED
CHILDREN, INC.

All Other		20,700
Provides additional operating funds in the amount of \$9,900 to Bath Regional Assn. for Retarded Children, \$2,000 to Boothbay Region Assn. for Retarded Children, and \$8,800 for Southern Arrostook Assn. for Retarded Children.		

MARINE RESOURCES, DEPARTMENT OF

Administration		
Personal Services		27,303
Provides for reclassification of 38 Coastal Wardens effective Jan. 1, 1975.		
Federal Matching Funds		
Unallocated		25,000
Provides Matching Funds for Seagrant Program.		

MAINE MARITIME ACADEMY

All Other		75,000
Provides funds for modification of waterfront power distribution system and pier repairs.		

DEPARTMENT

1974-75

PERSONNEL, DEPARTMENT OF

Personal Services	(4)	33,119
All Other		3,300
Capital Expenditures		2,000
Provides funds for four new positions including a Specialist in Labor Management relations and related costs.		

PUBLIC SAFETY, DEPARTMENT OF

State Police—State 25% Share		
All Other		78,492
Provides \$21,520 to continue 12 ASAP positions and \$56,972 for reclassification of State Police classified personnel effective Jan. 1, 1975.		
Liquor Enforcement Division		
Personal Services		6,223
Capital Expenditures		17,262
Provides \$6,223 for reclassification of 18 Liquor Inspectors and \$17,262 for Compact Cars.		
Criminal Justice Academy		
Personal Services	(15)	75,334
All Other		74,276
Capital Expenditures		390
Provides for state funding of Academy operations from January 1, 1975 through June 30, 1975. Academy operations are presently Federal Funded.		

SECRETARY OF STATE, DEPARTMENT OF

Departmental Operations		
Personal Services	(1)	359
Provides for reclassification of one Clerk-Steno III to a Clerk IV and provides one count to change a seasonal position to permanent status.		

STATE EMPLOYEES APPEALS BOARD

Administration		
Personal Services		1,500
Provides funds to cover cost of additional hearings.		

SUPREME JUDICIAL AND SUPERIOR COURTS

Administration		
All Other		10,200
Provides funds for an additional volume of the Maine Reporter.		

DEPARTMENT

1974-75

TRANSPORTATION, DEPARTMENT OF

Bureau of Waterways

All Other

20,000

Provides funds for the salary and related expenses for a position of Port Solicitor.

TREASURER OF STATE

Personal Services

1,135

Provides funds to reclassify one Clerk III position to a Clerk IV position.

UNIVERSITY OF MAINE

All Other

312,000

Provides \$100,000 for upgrading retirees pensions, and \$212,000 to continue UMA Nursing Course, UMPG Nursing Course, and UMPG Law Clinic.

TOTAL GENERAL FUND APPROPRIATION

\$7,334,700

Sec. 2. Intent. The Director of the Bureau of Public Improvements in the name of the State of Maine, is authorized to execute and convey by quit-claim deed the following parcels situated in Augusta and bounded and described as follows:

GILBERT PROPERTY

1. Beginning at a point in the easterly line of Sewall Street ten (10) feet northerly (measuring on the street line) from a point where the northerly line of the Norton House extended intersects said easterly line of Sewall Street; thence north $31^{\circ} 10''$ east ninety-three and three-tenths (93.3) feet to a stone monument; thence at a right angle south $58^{\circ} 50''$ east one hundred (100) feet to a stone monument; thence at a right angle south $31^{\circ} 10''$ parallel with the easterly line of Sewall Street ninety-one and three-tenths (91.3) feet to a stone monument; thence north $82^{\circ} 12''$ west eight (8) feet to a point in the land of said Norton; thence north $58^{\circ} 20''$ west ninety-two and five tenths (92.5) feet to the stone monument at the point of beginning.

2. Beginning at a stone bound on the easterly side of Sewall Street marking the dividing line between the lot hereby conveyed and the lot above described; thence easterly along said dividing line and a prolongation thereof one hundred fifty-five and two-tenths (155.2) feet to a stone post or iron rod; thence northerly twenty-three (23) feet; thence westerly parallel with the southerly line of this lot one hundred fifty-five and twenty-seven one-hundredth (155.27) feet to the bound in the easterly line of Sewall Street twenty-three (23) feet northerly of the bound begun at; thence southerly on the easterly line of Sewall Street to the point of beginning.

COFFEY PROPERTY

Beginning at the southeast corner of land known as the Beck Lot on the west side of Grove Street; thence westerly along the south line of said Beck Lot, five (5) rods more or less to land now or formerly of one Fowler; thence southerly along said Fowler's east line four (4) rods more or less to the southeast corner of said Fowler's lot; thence easterly parallel with the south line of said Beck line five (5) rods more or less to the west line of Grove Street; thence northerly along the west line of Grove Street four (4) rods more or less to the point of beginning.

Being the same premises conveyed to us by Dorothy L. Hagerman by warranty deed dated July 2, 1951, recorded in Kennebec County Registry of Deeds, Book 904, Page 330.

The conveyance of the above parcels are contingent upon current negotiations for the purchase of properties within the proposed site for the new parking garage structure here in the Capitol Complex. Conveyance of the above-described parcels shall be made under terms and conditions deemed by the Governor and Council to be in the best interest of the State.

Sec. 3. P. & S. L., 1973, c. 202, Section 7, repealed and replaced. Section 7 of chapter 202 of the private and special laws of 1973 is repealed and the following enacted in place thereof:

Sec. 7. Personal Services savings and flexibility. Savings accruing within appropriations made for permanent positions may be used for nonrecurring personal services or retirement costs when recommended by the department head and the State Budget Officer, and approved by the Governor and Council. To provide some degree of flexibility, each department 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 made available for Personal Services, in each department, is not exceeded and also providing that certification is made, in writing, by the department head, that such action will not result in an increased request for Personal Service moneys from any future Legislature. Copies of all Personnel Board actions and department head certifications relating to such changes shall be furnished to the Legislative Finance Officer. The State Personnel Board on a continuing basis shall review all reclassification and range change requests and regularly report those which it approves in omnibus bill form to each subsequent session of the Legislature, through the Appropriation and Financial Affairs Committee, for final determination.

Sec. 4. Intent. Notwithstanding any other provision of law, the State Tax Assessor shall equalize and adjust the assessment lists of the Towns of North Berwick and Brooksville as to make the assessment in each town equal to its just value as of April 1, 1974 for the purpose of determining the amount of school subsidies to which School Administrative District No. 60 and the Town of Brooksville shall be eligible to receive for the fiscal year 1974-1975.

Sec. 5. R. S., T. 34, § 851, amended. The first sentence of Section 851 of Title 34 of the Revised Statutes, as repealed and replaced by section 15 of chapter 391 of the public laws of 1967, is amended to read as follows:

The Women's Correctional Center, ~~formerly called the Reformatory for Women, located at Skowhegan, Maine~~ located at Hallowell, Maine, shall be maintained for the confinement and rehabilitation of:

Sec. 6. R. S., T. 34, § 851-A, sub-§ 1, amended. Subsection 1 of section 851-A of Title 34 of the Revised Statutes, as enacted by section 16 of chapter 391 of the public laws of 1967, is amended to read as follows:

1. **Center.** "Center" as used in this chapter shall mean the Women's Correctional Center located at ~~Skowhegan, Maine~~ Hallowell, Maine.

Sec. 7. R. S., T. 34, § 859, amended. The first sentence of the last paragraph of section 859 of Title 34 of the Revised Statutes, as repealed and replaced by section 20 of chapter 391 of the public laws of 1967, is amended to read as follows:

The superintendent shall certify the fact of each instance of escape or attempted escape to the county attorney for ~~Somerset County~~ the county in which the center is located, who shall prosecute such inmate or prisoner therefor.

Sec. 8. R. S., T. 34, § 861, repealed. Section 861 of Title 34 of the Revised Statutes, as amended by section 22 of chapter 391 of the public laws of 1967, is repealed.

Sec. 9. Use of Appropriated Funds. Funds appropriated for the operation of the Stevens School may be used by the Department of Mental Health and Corrections, as may be considered necessary for the purpose, for the operation of the Women's Correctional Center.

Sec. 10. R. S., T. 2, § 6, sub-§ 5, amended. Subsection 5 of section 6 of Title 2 of the Revised Statutes, as repealed and replaced by section 2 of chapter 509 of the public laws of 1973 and as amended, is further amended by adding at the end the following:

Executive Director of the Public Employees Labor Relations Board.

Sec. 11. R. S., T. 2, § 6, sub-§ 6, amended. Subsection 6 of section 6 of Title 2 of the Revised Statutes, as repealed and replaced by section 2 of chapter 509 of the public laws of 1973 and as amended by section 9 of chapter 207 of the private and special laws of 1974, is further amended by striking out all of the last line as follows:

~~Executive Director of the Public Employees Labor Relations Board~~

Sec. 12. P. & S. L., 1973, c. 108, § 1, amended. That part of section 1 of chapter 108 of the private and special laws of 1973 under the caption "MILITARY, CIVIL DEFENSE AND VETERANS SERVICES, DEPARTMENT OF" is amended by adding at the end the following new sentence:

The appropriation for Capital Expenditures shall not lapse but shall remain a carrying account until June 30, 1975.