

# MAINE STATE LEGISLATURE

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N I N E T Y - S E V E N T H   L E G I S L A T U R E

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**Legislative Document**

**No. 1065**

S. P. 369

In Senate, March 1, 1955

Referred to the Committee on Judiciary, sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Reid of Kennebec.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-FIVE

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**AN ACT to Revise the Laws Relating to the State Library.**

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

**Sec. 1. R. S., c. 42, § 10, repealed.** Section 10 of chapter 42 of the revised statutes is hereby repealed, as follows:

~~'Sec. 10. Index section. The librarian shall also establish and maintain an index section. This section shall have charge of all indexing in connection with the work of the library and such other indexing as the legislature and the governor and council may direct.'~~

**Sec. 2. R. S., c. 42, § 11, amended.** The 1st sentence of section 11 of chapter 42 of the revised statutes is hereby amended to read as follows:

'The Maine State Library shall give advice to all school, State, institutional, ~~free and~~ public and county law libraries, and to all communities in the State which may propose to establish libraries, as to the best means of establishing and administering them, selecting and cataloging books and other details of library management, and may send its employees to aid in organizing such libraries or assist in the improvement of those already established.'

**Sec. 3. R. S., c. 42, § 14, amended.** Section 14 of chapter 42 of the revised statutes is hereby amended to read as follows:

**'Sec. 14. Biennial report.** The Librarian shall report to the Legislature biennially the receipts and expenditures on account of the library, the number of ~~books, maps and charts acquired~~ acquisitions during the 2 preceding years,

specifying those obtained by purchase, donation and exchange and shall make in such report suggestions in relation to the improvement of the Library.'

**Sec. 4. R. S., c. 42, § 16, amended.** Section 16 of chapter 42 of the revised statutes is hereby amended to read as follows :

'**Sec. 16. Public documents distributed.** All Maine reports, digests, statutes, codes and laws, printed or purchased by the State and ~~hereafter~~ **previously** distributed by law to the several towns and plantations within the State, shall be and remain the property of the State and shall be held in trust by such towns or plantations for the sole use of the inhabitants thereof.'

**Sec. 5. R. S., c. 42, § 17, amended.** The 4th sentence of section 17 of chapter 42 of the revised statutes is hereby amended to read as follows :

'At least ~~75~~ **80** copies of these reports shall be delivered to the Librarian of the Maine State Library, immediately upon receipt by the Superintendent of Public Printing, for exchange, library use and general distribution; and the balance of the number of each report shall be delivered by said Superintendent to the head of the Department or Institution where it originated and where it was prepared for publication.'

**Sec. 6. R. S., c. 42, § 18, repealed and replaced.** Section 18 of chapter 42 of the revised statutes is hereby repealed and the following enacted in place thereof :

'**Sec. 18. Public documents turned over to successors in office.** All compilations or revisions of the statutes, and supplements thereto, and the laws, sold and delivered at half-price to any State, county or municipal officer shall be held in trust by said officer for the sole use of his office; and at the expiration of his term of office or on his removal therefrom by death, resignation or other cause, such officer, or if he be dead, his legal representatives, shall turn over to his successor in office all of said books and publications. If there be no successor to his office such officer, or his legal representatives, shall turn over all of said books and publications to the State, county or municipal unit which purchased the same. This section shall also apply to the Maine reports distributed in accordance with the provisions of section 20.

All compilations or revisions of the statutes, and supplements thereto, and the laws, sold and delivered by the State at half-price to municipalities within the State shall be held in trust by such municipalities for the sole use of the inhabitants thereof.'

**Sec. 7. R. S., c. 42, § 19, repealed.** Section 19 of chapter 42 of the revised statutes is hereby repealed, as follows :

'~~Sec. 19. Public documents plainly marked. All Maine reports, digests, statutes, codes and laws distributed by the state library to the several towns and public officers in the state, with the exception of the justices of the supreme judicial and superior courts, shall be plainly marked upon the cover and upon the title page with the following words: "Property of the State of Maine, not to be sold."~~

**Sec. 8. R. S., c. 42, § 20, repealed and replaced.** Section 20 of chapter 42 of the revised statutes is hereby repealed and the following enacted in place thereof:

'Sec. 20. **Maine reports.** A copy of the printed decisions of the Supreme Judicial Court, commonly called Maine reports, which are purchased by the State in accordance with the provisions of section 2 of chapter 104, shall be distributed by the State Librarian to the following: each county law library, college library, county attorney, judge of probate, register of probate, clerk of courts, municipal court, trial justice, Councilor, Senator and Representative from Maine in the Congress of the United States, Justice and Ex-justice of the Supreme Judicial Court, Justice and Ex-justice of the Superior Court; the Governor, Judge of the United States District Court for Maine, United States district attorney for Maine, clerk of the United States District Court for Maine, Judge of the United States Court of Appeals for the first circuit.

Copies shall be sent, on an exchange basis, to the Library of Congress, secretary of the Maine State Bar Association, the Supreme Court Library of Canada, and to each State or territorial library in the United States.

Upon request of administrative officers thereof copies shall be placed in each State Department or Institution.

The State Librarian shall subscribe to the advance sheets of the Maine reports and shall furnish them to the libraries, officers and departments enumerated above.'

**Sec. 9. R. S., c. 42, § 22, amended.** Section 22 of chapter 42 of the revised statutes is hereby amended to read as follows:

'Sec. 22. **Distribution and sale.** All printed copies of ~~such~~ revised statutes, supplements thereto, and session laws shall be delivered by the printer to the State Librarian for distribution ~~in accordance with the provisions of section 25;~~ and for sale ~~as hereinafter provided,~~ in accordance with the provisions of section 25.'

**Sec. 10. R. S., c. 42, § 23, repealed and replaced.** Section 23 of chapter 42 of the revised statutes is hereby repealed and the following enacted in place thereof:

'Sec. 23. **Price.** The State Librarian, subject to the approval of the Governor and Council, shall fix the price at which the printed volumes of a revision of the statutes, and supplements thereto, or those containing the laws passed at a session of the Legislature, may be sold and delivered, and shall thereafter make sales at the price so fixed.'

**Sec. 11. R. S., c. 42, § 25, repealed and replaced.** Section 25 of chapter 42 of the revised statutes is hereby repealed and the following enacted in place thereof:

'Sec. 25. **Statutes and laws distributed and sold.** A copy of all compilations or revisions of the statutes, and supplements thereto, and the laws passed by each Legislature shall be sold and delivered at one-half the established price to

the following: each free public library, county law library, college library, municipality, county attorney, clerk of courts, county commissioners' court, sheriff, county treasurer, register of deeds, register of probate, judge of probate, Justice and Ex-justice of the Supreme Judicial Court, Justice and Ex-justice of the Superior Court, municipal court, trial justice, Ex-governor, Councilor; the Governor, reporter of decisions, Judge of the United States District Court for Maine, United States district attorney for Maine, clerk of the United States District Court for Maine, Judge of the United States Court of Appeals for the first circuit, Maine Historical Society.

The Legislature and State Administrative Departments, Bureaus, Agencies and Commissions may purchase more than one such copy for legislative and administrative purposes.

Copies shall be sent, on an exchange basis, to the Library of Congress, secretary of the Maine State Bar Association, the Supreme Court Library of Canada and to each State or territorial library in the United States.

One copy of the laws passed by each session of the Legislature shall be given to each member thereof, the Secretary of the Senate, the Assistant Secretary of the Senate, the Clerk of the House, the Assistant Clerk of the House, and each Senator and Representative from Maine in the Congress of the United States.

One copy of the latest revision of the statutes and the current supplement thereto shall be given to each member of the Legislature who has not previously received such a copy as a member of a Legislature which met in regular session after the effective date of such revision of the statutes.

The remaining copies of the statutes, and supplements thereto, and the laws shall be held in the Library for exchange or library use, except as otherwise provided by law.'

Sec. 12. R. S., c. 42, § 31, amended. Section 31 of chapter 42 of the revised statutes is hereby amended to read as follows:

'Sec. 31. Free use of library in adjoining town authorized. Any municipality may raise and appropriate annually a sum of money for the purpose of securing to its inhabitants free use of a library located in an adjoining municipality. ~~and the officers thereof shall annually, on or before the 1st day of May, certify to the state librarian the amount of money appropriated and expended during the preceding year for this purpose. Upon certification the state librarian shall approve for payment a sum based on the following enumerated percentages:~~

- To municipalities appropriating and expending \$475 or less, 10%;
- To municipalities appropriating and expending \$476 to \$1,900, 7%;
- To municipalities appropriating and expending \$1,901 to \$5,000, 4%.

No municipality shall receive annually more than \$200. The stipend shall be used for the purchase of books to be placed in said library.'

**Sec. 13. R. S., c. 42, § 33, repealed and replaced.** Section 33 of chapter 42 of the revised statutes is hereby repealed and the following enacted in place thereof:

**‘Sec. 33. State aid for municipalities maintaining free public libraries.** The officers of any municipality may certify to the State Librarian annually, before the 1st day of May, the amount of money appropriated and expended by said municipality during the preceding year for the benefit of a free public library established therein, or for the free use of a library in an adjoining town. Upon such certification the State Librarian, if satisfied with the quality of service performed by such library, shall approve for payment to such municipality an amount based on the following schedule:

- On appropriations from \$200 to \$475, 10% ;
- On appropriations from \$476 to \$1,000, 7% ;
- On appropriations from \$1,001 to \$5,000, 4%.

No municipality shall receive annually less than \$20, nor more than \$200, except as provided below. The state aid money must be spent for the purchase of books to be placed in said library.

If the appropriations of 2 or more towns for the use of a library in an adjoining town amount to the sum of \$200 or more, the State Librarian may make payment of state aid on the same basis and for the same purpose prescribed above. Such payment shall be made to the municipality where the library is situated.’

**Sec. 14. R. S., c. 42, § 34, amended.** Section 34 of chapter 42 of the revised statutes is hereby amended to read as follows:

**‘Sec. 34. Libraries controlled by associations assisted by towns.** Any town or city in which there is a library owned or controlled by a corporation or association or by trustees may levy and assess a tax and make appropriation therefrom annually to procure from such library the free use of its books for all the inhabitants of the town or city, under such restrictions and regulations as shall insure the safety and good usage of the books; and such library shall then be considered a free public library within the meaning of this chapter and said town or city shall be entitled to the benefits of the preceding section ~~provided that any books and documents purchased with said stipend, and all books and documents donated by the state, shall be and remain the property of said municipality.~~

**Sec. 15. R. S., c. 42, § 35, amended.** Section 35 of chapter 42 of the revised statutes is hereby amended to read as follows:

**‘Sec. 35. Custody of public documents; list of books purchased with state stipend.** ~~In every town and city where a free public library exists, the librarian of the state library shall transmit to such library all laws, Maine reports and other documents which the town or city is by law entitled to receive from the state, except as provided in sections 20 and 25, and the same shall be constantly kept in such library for the use and benefit of all the citizens; and the~~ The officers of ~~said every~~ free public library, on or before the 1st day of May of each year, shall send to the Librarian of the State Library a report containing a list of all books and documents purchased with the state stipend for the pre-

ceding year. The aid from the State, provided by section 33, shall be withheld from any city, town or village corporation until the report herein required to be made shall have been received by the Librarian of the State Library; and the same shall also be withheld unless said report shall show that the laws and Maine reports ~~and other documents~~ furnished by the State are kept **constantly** in said Library ~~as required by this section~~ **for the free use and benefit of all the citizens.**

**Sec. 16. P. L., 1953, cc. 425, 427, repealed.** Chapters 425 and 427 of the public laws of 1953 are hereby repealed.