

MAINE STATE LEGISLATURE

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EIGHTH REVISION

THE
REVISED STATUTES

OF THE
STATE OF MAINE

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VOLUME I



By the Authority of the Legislature

AUGUSTA
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editorial or news articles of any magazine or newspaper when the same is not a political advertisement, nor to cards, posters, lithographs, or circulars issued by a candidate advertising his own candidacy.

CHAPTER 9.

LEGISLATURE.

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Organization of the Legislature

Sec. 1. Certified rolls of members elect. R. S. c. 2, § 36. The secretary of state shall, on or before the day preceding the meeting of the legislature, furnish to the secretary of the preceding senate a certified roll, under the seal of the state, of the names and residences of senators elect, according to the report of the governor and council, and to the clerk of the preceding house of representatives a certified roll, under the seal of the state, of the names and residences of the representatives elect, according to the report of the governor and council, and shall report the vacancies if any exist.

See Const. of Me., Art. IV.

Sec. 2. Salary of members of the legislature and representatives of the Indian tribes. R. S. c. 125, § 10. 1935, c. 46. 1941, c. 84. Each member of the senate and house of representatives shall receive \$600 for the regular session of the legislature, and \$2 for every 10 miles' travel from his place of abode once in each session. He is entitled to mileage on the 1st day of the session, and \$100 of his salary on the 1st day of each month thereafter, during the session, and the balance at the end thereof; but \$2 shall be deducted from the pay of every member for each day that he is absent from his duties, without being excused by the house to which he belongs.

The president of the senate and speaker of the house of representatives, shall each receive \$700 for each session with the same mileage as other members, and subject to the same deduction in case of each absence. Any member acting as president pro tempore of the senate, or speaker pro tempore of the house, shall receive \$2 a day extra therefor.

When an extra session is called by the governor, the members of the senate and house of representatives shall each be paid \$5 for every day's attendance, and mileage as aforesaid.

The president of the senate and speaker of the house of representatives at such extra session shall receive, in addition, \$2 for every day's attendance.

The member of the Indian tribe elected by it to represent the tribe at the biennial assembly of the legislature shall receive a compensation of \$200 for such attendance.

Sec. 3. Senate; organization. R. S. c. 2, §§ 37, 39. 1931, c. 256, § 1. The secretary of the preceding senate, at the time and place appointed for the meeting of the legislature, shall call the senators-elect present, to order, and from the certified roll furnished him as aforesaid, call their names, and if a quorum respond, he shall preside until they are qualified and a president is elected; if no quorum appear he shall preside, and the senators-elect present, shall adjourn from day to day, but shall transact no business, except to go into convention to fill vacancies, until a quorum appear and are qualified and a president is elected. After the election of the president, the senate shall proceed to elect by ballot a secretary, an assistant secretary, a sergeant-at-arms, an assistant sergeant-at-arms, a postmaster, a doorkeeper, and 2 pages.

In case of vacancy in the office of such secretary or his absence or inability to perform the duties aforesaid, the said duties shall be performed by his assistant.

Sec. 4. Duties of the secretary of the senate; salaries of officers and employees of the senate. R. S. c. 125, § 11. 1931, c. 256, § 2. The secretary of the senate shall perform the usual duties of the office during the session of the legislature, file and index all papers, which have been subject to adverse legislative action, index and supervise the publication of the senate journal, and in addition thereto devote the month of December of the year following the legislative session to the work of making preparation for the incoming legislature. He shall also perform the duties required of him by sections 3 and 5. He shall also deliver to the librarian of the state library all papers on file in the office of the secretary of the senate which were considered by a session of the legislature held more than 10 years previously and the state librarian shall inspect said papers and preserve all those having any historical or permanent value. He shall receive a salary of \$2,000 in full for all official services by him performed during the regular session of the legislature.

The assistant secretary of the senate shall receive a salary of \$1,200; his work shall be performed under the direction of the secretary.

The official reporter of the senate shall receive a salary of \$1,750.

The sergeant-at-arms shall receive a salary of \$600.

The assistant sergeant-at-arms shall receive a salary of \$450.

The postmaster shall receive a salary of \$500.

The doorkeeper shall receive a salary of \$300.

The pages shall each receive a salary of \$300.

The postmaster, doorkeeper, and pages shall perform their duties under the direction of the sergeant-at-arms.

The above salaries shall be in full for all official services performed during the regular session of the legislature, and no other compensation shall be allowed them, except in case of an adjourned or special session of the legislature.

See c. 4, § 43, re appointment of committee by president of senate for investigation of expenses incurred by nominees in primary elections.

Sec. 5. Records of senate; amendments. R. S. c. 2, § 40. The secretary or assistant secretary of any senate shall amend, according to the fact, the journal of said senate, whenever empowered or required by authority of the same, or of any subsequent senate.

Sec. 6. House of representatives; organization. R. S. c. 2, §§ 38, 39. 1931, c. 254, § 1. The clerk of the preceding house of representatives in the same manner as provided for the senate shall call the representatives-elect to order and preside until they are qualified and elect a speaker; if no quorum appear he shall preside, and the representatives-elect present, shall adjourn from day to

day, until a quorum appear and are qualified, and a speaker is elected. After the election of the speaker, the house of representatives shall proceed to elect by ballot a clerk, an assistant clerk, a sergeant-at-arms, an assistant sergeant-at-arms, a document clerk, a doorkeeper, and 2 pages.

In case of vacancy in the office of such clerk, or his absence or inability to perform the duties aforesaid, the said duties shall be performed by his assistant.

*70 Me. 589, 590.

Sec. 7. The subordinate officers and employees of house of representatives. R. S. c. 125, § 12. 1931, c. 254, § 2. The clerk of the house of representatives shall perform the usual duties of his office during the session of the legislature and index the house journal. He shall also perform the services required of him by sections 6 and 8. He shall receive a salary of \$2,000 in full for all official services by him performed during the regular session of the legislature.

The assistant clerk of the house shall receive a salary of \$1,200; his work shall be performed under the direction of the clerk.

The official reporter of the house shall receive a salary of \$1,750.

The sergeant-at-arms shall receive a salary of \$600.

The assistant sergeant-at-arms shall receive a salary of \$450.

The document clerk shall receive a salary of \$500.

The doorkeeper shall receive a salary of \$300.

The pages shall receive a salary of \$300, each.

The document clerk, doorkeeper, and pages shall perform their duties under the direction of the sergeant-at-arms.

The above salaries shall be in full for all official services performed during the regular session of the legislature, and no other compensation shall be allowed them, except in case of an adjourned or special session of the legislature.

See c. 4, § 43, re appointment of committee by speaker of the house for investigation of expenses incurred by nominees in primary elections.

Sec. 8. Records of the house of representatives; amendments. R. S. c. 2, § 41. The clerk or assistant clerk of any house of representatives shall amend, according to the fact, the journal of said house, whenever empowered or required by authority of the same, or of any subsequent house.

Sec. 9. Rights and privileges of representatives of the press defined; to have no interest in private claims. R. S. c. 2, § 42. Representatives of the press who shall be actually engaged in sending daily reports of the doings of the legislature to daily newspapers, shall have the privilege of the floor of the senate and house of representatives, and shall be subject to such rules as may from time to time be adopted by either branch of the legislature. No such representative shall be interested in any private claim or measure pending before the legislature, nor shall any such representative, while acting as correspondent for any daily newspaper, and as such correspondent having the privileges mentioned in this section, become interested in the prosecution of any such claim or measure.

See § 10.

Sec. 10. Room reserved for representatives of the press. R. S. c. 2, § 31. Room 82, on the 4th floor of the state house, shall be maintained and reserved, during each legislative session, for the use of such representatives of the press as have the privilege of the floor of the senate and house of representatives under the provisions of the preceding section; the superintendent of public buildings shall see that such room is properly furnished, lighted, heated, and kept in order.

Notice of Petitions for Legislation

Sec. 11. Notice of petitions affecting individuals or corporations. R. S. c. 2, § 49. Notice of any petition for legislation, affecting the rights of individuals or

corporations, may be given by serving them with a true copy of the petition at least 14 days before the commencement of the next session, or by publishing such copy 3 weeks successively in some newspaper printed in the counties in which such individuals reside or such corporations are established; or if no newspaper is there published, then in the state paper, the last publication to be at least 14 days before the session; and if further service is deemed necessary, or if notice is defective or insufficient, further notice may be ordered.

*63 Me. 239.

Sec. 12. Notice of petitions affecting town or county. R. S. c. 2, § 50. Notice of any petition affecting the rights or interests of any town or county may be given to such town by serving it with a true copy of the petition at least 14 days before the session, and to such county, by publishing as prescribed in the preceding section.

*63 Me. 239.

Sec. 13. If no notice, petition to be referred. R. S. c. 2, § 51. Petitions mentioned in the 2 preceding sections without proof of notice as prescribed shall be referred, with order of notice, to the next legislature.

*63 Me. 239.

Sec. 14. Service; proof. R. S. c. 2, § 52. Service of notice of such petitions may be made by any sheriff or constable, and proved by his proper return or by written acknowledgment of the adverse party on the petition, or if notice is given by publication, then by the newspapers or the affidavit of the printer.

Sec. 15. Notice of petitions for special legislation pertaining to fish and game. R. S. c. 2, § 53. Notice of petitions, bills, or resolves for special legislation, regarding or in any manner pertaining to fish or game, shall be given with full description of the territory or waters affected by such legislation, in some weekly publication nearest the locality so affected, for 8 consecutive weeks, the last notice to be not less than one, nor more than 3 weeks before the assembling of the legislature of which such legislation is requested, and such notice shall be absolutely required before any such legislation shall be enacted. All laws hereafter enacted pertaining to fish or game which do not conform to the general laws of the state shall for the purposes of this section be deemed special. Provided, however, that the provisions of this section shall not apply to any petition, act, or resolve, either repealing or amendatory, which has for its object the placing of the territory or waters in question under the general laws of the state.

Sec. 16. Heads of departments not to employ counsel. R. S. c. 2, § 127. No head of any department shall employ counsel or witnesses, at the expense of the state, to appear before any committee of the legislature, without the consent of the legislature.

Constitutional Amendments

Sec. 17. When constitutional amendments take effect. R. S. c. 1, § 2. Unless otherwise provided in the resolve submitting it, every constitutional amendment shall take effect and become part of the constitution, on the 1st Wednesday of January following its adoption by the people.

Sec. 18. Proclamation and publication thereof. R. S. c. 1, § 3. Within 30 days after it appears that a constitutional amendment has been adopted, the

governor shall make proclamation thereof, and the secretary of state shall forthwith cause such proclamation to be published in the state paper, and it shall also be included in the next volume of acts and resolves.

Statutes

Sec. 19. Notice of approval of public acts. R. S. c. 1, § 4. When a public act is approved by the governor, the secretary of state shall give written notice thereof to the presiding officers of the senate and house, describing it by its title, and the date of its approval, which shall be entered on the journal of each house.

81 Me. 546.

Sec. 20. Construction and effect of repealing acts. R. S. c. 1, § 5. The repeal of an act or resolve passed after the 4th day of March, 1870, does not revive any statute in force before the act or resolve took effect. The repeal of an act does not affect any punishment, penalty, or forfeiture incurred before the repeal takes effect, or any suit, or proceeding pending at the time of the repeal, for an offense committed or for recovery of a penalty or forfeiture incurred under the act repealed. Actions pending at the time of the passage or repeal of an act are not affected thereby.

See Const. of Me., Art. IV, §§ 16-22, added by amend. XXXI.

*23 Me. 237; 30 Me. 489; 45 Me. 73, 514; 49 Me. 533; 52 Me. 158; 61 Me. 24; 63 Me. 29, 30; 64 Me. 134, 435; 65 Me. 129; 68 Me. 396, 520, 527; 70 Me. 278; 71 Me. 404; 73 Me. 212; 75 Me. 444; 84 Me. 64; 88 Me. 227; 93 Me. 127; 95 Me. 315; 139 Me. 35.

Rules of Construction

Sec. 21. Rules of construction. R. S. c. 1, § 6. 1933, c. 118, § 1. 1943, c. 154. The following rules shall be observed in the construction of statutes, unless such construction is inconsistent with the plain meaning of the enactment.

I. Words and phrases shall be construed according to the common meaning of the language. Technical words and phrases and such as have a peculiar meaning convey such technical or peculiar meaning. The words "and" and "or" are convertible as the sense of a statute may require.

47 Me. 347; 49 Me. 525; 58 Me. 170, *328; 63 Me. 63; 64 Me. 129; 72 Me. 425, 461; 75 Me. 116; 88 Me. 404; 98 Me. 83; 105 Me. 111; 111 Me. 286; 112 Me. 362; 115 Me. 110; 118 Me. 60, 97; 130 Me. 415; 134 Me. 238; 137 Me. 216; 139 Me. 144.

II. Words of the singular number may include the plural; and words of the plural number may include the singular. Words of the masculine gender may include the feminine.

48 Me. 550; 72 Me. 428; 105 Me. 306; 124 Me. 161.

III. Words giving authority to three or more persons authorize a majority to act, when the enactment does not otherwise determine.

39 Me. 223; 48 Me. 358-9, 406; 62 Me. 519; 63 Me. 265; 64 Me. 262; 77 Me. 129; 79 Me. 130; 117 Me. 75; 123 Me. 112.

IV. The words "annual meeting," applied to towns, mean the annual meeting required by law for choice of town officers.

62 Me. 517; 96 Me. 434.

V. The word "grantor" means the person who conveys a freehold estate or interest in land; and the word "grantee," the person to whom it is conveyed.

VI. The word "highway" may include a county bridge, county road, or county way.

See c. 84, § 95, re definition of "highway" in certain cases; c. 19, § 1, re definition of certain terms; 18 Me. 412; 26 Me. 409; *34 Me. 12; 59 Me. 368, *452; 79 Me. 528; 106 Me. 302; 120 Me. 28.

VII. The word "inhabitant" means a person having an established residence in a place.

37 Me. 372; 106 Me. 236.

VIII. The words "insane person" may include an idiotic, non compos, lunatic, or distracted person; but in reference to idiotic or non compos persons this rule does not apply to sections 18 and 20 of chapter 22, and sections 10, 13, 96 to 113, inclusive, 131 to 134, inclusive, 136 to 143, inclusive, and 152 to 156, inclusive, of chapter 23.

49 Me. 361; 53 Me. 207; *76 Me. 595.

IX. The word "issue," applied to the descent of estates, includes all lawful lineal descendants of the ancestor.

95 Me. 277; 104 Me. 310.

X. The word "land" or "lands" and the words "real estate" include lands and all tenements and hereditaments connected therewith, and all rights thereto and interests therein.

See c. 81, § 3, re meaning of words "real estate" for purposes of taxation; c. 142, § 40, re definition of word "property" for administration of inheritance tax laws; Me. 347; 78 Me. 97; 85 Me. 331; 86 Me. 77, 131; 105 Me. 532; *115 Me. 404; *123 Me. 546; 133 Me. 9; 134 Me. 238.

XI. The words "timber and grass," when used in reference to the public reserved lots, so called, in unorganized territory in the state, mean all growth of every description on said lots.

XII. The word "month" means a calendar month; and the word "year," a calendar year, unless otherwise expressed. The word "year," used for a date, means year of our Lord.

47 Me. 393; 64 Me. 332.

XIII. The word "oath" includes an affirmation, when affirmation is allowed.

79 Me. 103.

XIV. The word "person" may include a body corporate.

See c. 27, § 7 and c. 88, § 121, re definition of word "person" in certain cases; c. 142, § 40, re definition of word "person" for administration of inheritance tax laws; 70 Me. 181; 95 Me. 448; 105 Me. 306; 133 Me. 525; 134 Me. 122.

XV. By the words "preceding" or "following," used with reference to a section, is meant the section next preceding or following that in which it is used, when not otherwise expressed.

XVI. When the seal of a court, magistrate, or public officer is to be affixed to a paper, the word "seal" may mean an impression made on the paper for that purpose with or without wafer or wax.

33 Me. 427; 34 Me. 222; 36 Me. 368; *66 Me. 227; 138 Me. 180, 192.

XVII. Whenever a corporate seal is used or required on any instrument, an impression made on the paper of such instrument by the seal of the corporation, without any adhesive substance, shall be deemed a valid seal. A seal of a corporation upon a certificate of stock, corporate bond, or other corporate obligation for the payment of money may be facsimile, engraved, or printed where such certificate is signed by a transfer agent or transfer clerk and by a registrar, and where such bond or obligation is certified by a trustee.

138 Me. 180, 192.

XVIII. The words "United States" include territories and the District of Columbia. The word "state," used with reference to any organized portion thereof, may mean a territory or said district.

XIX. The word "town" includes cities and plantations, unless otherwise expressed or implied.

56 Me. 31; 66 Me. 155; 71 Me. 142; 77 Me. 422; 82 Me. 194; 130 Me. 36; 134 Me. 295.

XX. (1943, c. 154) The word municipality includes cities, towns, and plantations.

139 Me. 267.

XXI. The words "in writing" and "written" include printing and other modes of making legible words. When the signature of a person is required, he must write it or make his mark, but the signatures of any officer or officers of a corporation upon a certificate of shares in such corporation, when any such certificate is signed by a transfer agent or transfer clerk and by a registrar, and upon the interest coupons annexed to a corporate bond or other corporate obligation, may be facsimiles, engraved, or printed.

56 Me. 392; 68 Me. 387, 587; 104 Me. 263; 124 Me. 22.

XXII. The word "will" includes a codicil.

XXIII. The words "sworn," "duly sworn," or "sworn according to law," used in a statute, record, or certificate of administration of an oath, refer to the oath required by the constitution or laws in the case specified, and include every necessary subscription to such oath.

30 Me. 326; 41 Me. 226; 42 Me. 376; 58 Me. 532; 84 Me. 378; *114 Me. 492.

XXIV. When an act that may be lawfully done by an agent is done by one authorized to do it, his principal may be regarded as having done it.

48 Me. 554; *59 Me. 175; 68 Me. 92, 387; 95 Me. 554.

XXV. When a person is required to be disinterested or indifferent in a matter in which others are interested, a relationship by consanguinity or affinity within the 6th degree according to the civil law, or within the degree of 2nd cousins inclusive, except by written consent of the parties, will disqualify.

*29 Me. 542; *30 Me. 156; 32 Me. 311, 312 (note); *47 Me. 476, 594; 52 Me. 501; 59 Me. 264; *66 Me. 352; 68 Me. 219; *73 Me. 58; *79 Me. 33; *84 Me. 305; 86 Me. 187.

XXVI. The term "municipal officers" means the mayor and aldermen of cities, the selectmen of towns, and the assessors of plantations.

See c. 57, § 77, re duty of officials to prosecute unlawful sale of liquor; 56 Me. 31; 71 Me. 142; 74 Me. 369; 78 Me. 106; 102 Me. 398; 105 Me. 146; 114 Me. 448.

XXVII. The words "state paper" mean the newspaper designated by the legislature, in which public acts, resolves, advertisements, and notices are required to be published.

See c. 79, § 120, re clerk of court to preserve and file copies of state paper.

XXVIII. Abstracts of titles, chapters, and sections, and notes are not legal provisions.

111 Me. 48.

XXIX. Acts of incorporation shall be regarded in legal proceedings as public acts. All acts of incorporation granted since the 1st day of January, 1893, become null and void in 2 years from the day when the same take effect, unless such corporations shall have organized and commenced actual business under their charters.

24 Me. 143; *69 Me. 317; 83 Me. 445; 93 Me. 127; 97 Me. 563.

XXX. The organization of any corporation under any general law of the state becomes null and void in 2 years from the day when its certificate of incorporation has been filed in the office of the secretary of state, unless such corporation shall have commenced actual business under its organization.

See c. 41, § 7; c. 43, § 13; c. 49, § 13; c. 55, §§ 100, 182; c. 56, §§ 148, 198.

XXXI. The terms "vacant" and "vacancy" as applied to public office shall comprise and include all cases where the person elected or appointed to such office resigns therefrom or dies while holding the same or, being elected or appointed, is ineligible, dies, or becomes incapacitated before qualifying as required by law.

XXXII. (1933, c. 118, § 1) The term "municipal court" or "municipal courts" shall mean "municipal and police courts."

Sec. 22. Affirmations. R. S. c. 1, § 7. When a person required to be sworn is conscientiously scrupulous of taking an oath, he may affirm.

*78 Me. 488; 79 Me. 103.

Legislative Research Committee

Sec. 23. Legislative research committee; membership. 1939, c. 315. The legislative research committee, as heretofore established, shall consist of 3 senators to be appointed by the president of the senate and 7 representatives to be appointed by the speaker of the house of representatives. Such appointments shall be made during each regular session of the legislature and shall, as far as possible, be so distributed as to make the committee representative of all sections of the state and of the relative party membership in each house.

Sec. 24. Term of office; vacancies. 1939, c. 315. Members of the committee shall hold office from the date of their appointment until the convening of the next succeeding regular session of the legislature following their appointment. Any vacancy arising in the membership from the senate shall be filled by the president of the senate and any vacancy arising in the membership from the house of representatives shall be filled by the speaker of the house of representatives.

Sec. 25. Authority; studies. 1939, c. 315. The committee shall have authority:

I. To collect information concerning the government and general welfare of the state.

II. To examine the effects of constitutional provisions and previously enacted statutes and recommend amendments thereto.

III. To study the possibilities for consolidation in state government, for elimination of all unnecessary activities and of all duplication in office personnel and equipment, and of the coordination of departmental activities, and of methods of increasing efficiency and economy.

IV. To make factual reports on such examination and studies to the legislature including therein such recommendations, in the form of bills or otherwise, as in its judgment may be advisable.

Sec. 26. Meetings; quorum. 1939, c. 315. The committee shall meet as often as may be necessary to perform its duties and, in any event, shall meet at least

once in each quarter. Six members shall constitute a quorum and a majority thereof shall have authority to act in any matter falling within the jurisdiction of the committee.

Sec. 27. Testimony in investigations; fees and mileage of witnesses. 1939, c. 315. In the discharge of any duty herein imposed the committee shall have the authority to administer oaths, issue subpoenas, compel the attendance of witnesses and the production of any papers, books, accounts, documents, and testimony, and to cause the deposition of witnesses, either residing within or without the state, to be taken in the manner prescribed by law for taking depositions in civil actions in the superior court. In case of disobedience on the part of any person to comply with any subpoena issued in behalf of the committee, or on the refusal of any witness to testify to any matters regarding which he may be lawfully interrogated, it shall be the duty of the superior court of any county, or of the justice thereof, on application of a member of the committee, to compel obedience by proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein. Each witness who appears before the committee by its order, other than a state officer or employee, shall receive for his attendance the fees and mileage provided for witnesses in civil cases in courts of record, which shall be audited and paid upon the presentation of proper vouchers sworn to by such witness and approved by the secretary and chairman of the committee.

Sec. 28. Studies by state officials. 1939, c. 315. Each officer, board, commission, or department of state government shall make such studies for the committee as it may require and as can be made within the limits of its appropriation.

Sec. 29. Messages from governor. 1939, c. 315. The governor may from time to time send the committee messages containing his recommendations for legislation and explaining the policy of the administration.

Sec. 30. Employment of assistants and research agencies. 1939, c. 315. The committee may employ such assistants and engage the services of such research agencies as it may deem desirable and its appropriation permits.

Sec. 31. Minutes and report; rights of members of legislature. 1939, c. 315. The committee shall keep complete minutes of its meetings and shall make periodic reports to all members of the legislature, and keep said members fully informed of all matters which may come before the committee, the actions taken thereon, and the progress made in relation thereto. Any member of the legislature shall have the right to attend any of the sessions of the committee, and may present his views on any subject which the committee may at any particular time be considering.

Sec. 32. Recommendations to legislature. 1939, c. 315. The reports of the committee shall be made public at least 30 days prior to any regular session of the legislature at which the same are to be submitted and copies of said reports shall be mailed to the post-office address of each member of the incoming legislature, to the governor, and to the state library.

Sec. 33. Compensation of members. 1939, c. 315. The members of the committee shall be compensated for the time spent in attendance at meetings of the committee at the rate of \$5 per day and actual expenses incurred while attending said meeting. Provided, however, that no compensation shall be paid here-

under for attendance at any meeting of the committee held while the legislature is in session.

Commission on Interstate Cooperation

Sec. 34. Maine commission on interstate cooperation, established. 1939, c. 250, § 1. The Maine commission on interstate cooperation as heretofore established shall be composed of 9 regular members; namely, 3 state officials to be appointed by the governor, 3 members of the senate to be appointed by the president of the senate, and 3 members of the house of representatives to be appointed by the speaker of the house of representatives. The governor, the president of the senate, and the speaker of the house of representatives shall be ex officio members of the commission.

Sec. 35. Tenure of office. 1939, c. 250, § 2. The members appointed by the governor shall hold office as members of the commission so long as they shall continue to hold the respective state offices by virtue of which they shall have been appointed. The members appointed from the senate shall hold office as members of the commission so long as they shall continue without interruption to be members of the senate and the members appointed from the house of representatives shall continue to hold office as members of the commission so long as they shall continue without interruption to be members of the house of representatives.

Sec. 36. Organization and procedure. 1939, c. 250, § 3. The commission shall organize by the choice of one of its members to be its chairman and of one of its members to be its secretary. The commission may enact such rules governing its procedure and the conduct of its affairs not inconsistent with law as it may see fit.

Sec. 37. Functions of the commission. 1939, c. 250, § 4. It shall be the function of this commission:

I. To carry forward the participation of this state as a member of the council of state governments.

II. To encourage and assist the legislative, executive, administrative, and judicial officials and employees of this state to develop and maintain friendly contact by correspondence, by conference, and otherwise, with officials and employees of the other states, of the federal government, and of local units of government.

III. To endeavor to advance cooperation between this state and other units of government whenever it seems advisable to do so by formulating proposals for, and by facilitating:

- A. The enactment of uniform or reciprocal statutes,
- B. The adoption of uniform or reciprocal administrative rules and regulations,
- C. The informal cooperation of governmental offices with one another,
- D. The personal cooperation of governmental officials and employees with one another, individually,
- E. The interchange and clearance of research and information, and
- F. Any other suitable process.

IV. In short, to do all such acts as will, in the opinion of this commission, enable this state to do its part in forming a more perfect union among the

various governments in the United States and in developing the council of state governments for that purpose.

Sec. 38. Commission to form certain committees. 1939, c. 250, § 5. The commission shall have power to establish such delegations and committees as it deems advisable, whose members may or may not be made up from the members of the commission, from state officials, or from private citizens, such delegations or committees to be charged with the duty of conferring and formulating proposals concerning effective means to secure interstate harmony and of performing such other functions for the commission as it may from time to time require.

Sec. 39. Reports; to serve without compensation. 1939, c. 250, § 6. The commission shall report to the governor within 15 days after the convening of each regular legislative session, which report shall be transmitted by the governor to the legislature, and it may report to the governor at such other times as it deems appropriate. Its members and the members of all delegations and committees which it establishes shall serve without compensation for such service.

Legislative Counsel and Agents

Sec. 40. Registration of legislative counsel and agents and of employers of same. R. S. c. 2, § 43. Any person or persons accepting employment to act as legislative counsel or agent to promote or oppose, directly or indirectly, legislation by the legislature shall within 48 hours after such employment cause his or their name or names to be entered upon a docket as hereinafter provided, and all employers of such legislative counsel or agents shall also within the same time cause their names to be entered upon the same docket as hereinafter provided.

Sec. 41. Registration docket; kept by secretary of state; open to public inspection. R. S. c. 2, § 44. The secretary of state shall prepare and keep a docket for the registration of legislative counsel or agents and of their employers, which docket shall be open to public inspection during the office hours of said secretary of state and shall contain the names of legislative counsel and agents and of their employers, the addresses of each, the date and subject matter of the employment, and, by appropriate words, a designation of whether such employment is as counsel or agent or both. Such docket shall be so arranged and indexed that under the name of each employer shall appear the names of all legislative counsel or agents employed by him and that the name or names of each employer represented by any counsel or agent shall appear under the name of such counsel or agent.

Sec. 42. Compensation not to be contingent. R. S. c. 2, § 45. No person shall be employed as a legislative counsel or agent for compensation dependent upon a contingency.

Sec. 43. Terms "legislative counsel" and "legislative agent" defined. R. S. c. 2, § 46. The term "legislative counsel" as used in sections 40 to 45, inclusive, shall be construed to mean any person who for compensation appears at any public hearing before committees of the legislature in regard to proposed legislation. The term "legislative agent" as used in said sections shall be construed to mean any person, firm, association, or corporation that for hire or reward does any act to promote or oppose proposed legislation except to appear at public hearings before committees of the legislature, and shall include all persons who for com-

pensation shall approach individual members of the legislature or members elect thereof with the intent in any manner, directly or indirectly, to influence their action upon proposed legislation.

Sec. 44. Application of terms. R. S. c. 2, § 47. The provisions of sections 40 to 45, inclusive, shall not apply to state, county, municipal, or quasi-municipal officials, or their regularly elected or appointed subordinates, who act for no compensation other than their ordinary salary or compensation as such public officials or subordinates.

Sec. 45. Penalties for violation. R. S. c. 2, § 48. Whoever violates any provision of sections 40 to 43, inclusive, shall be punished by a fine of not less than \$100, nor more than \$500, and the attorney-general shall cause prosecutions to be instituted for the violation of any of the provisions of said sections. Any person, firm, or corporation who shall falsely enter upon the docket aforesaid the name or names of any person or firm as his or their legislative counsel or agent shall be punished by a fine of \$100 and shall be answerable in damages to the person or firm whose name or names has been so falsely entered.

CHAPTER 10.

REVISOR OF STATUTES.

Sec. 1. Appointment and term of revisor of statutes. 1931, c. 210, § 1. The governor, with the advice and consent of the council, shall appoint a revisor of statutes who shall be a suitable person experienced in statutory revision and who shall serve for a period of 6 years, and thereafter until his successor is appointed and has qualified.

Sec. 2. Duties. 1931, c. 210, § 2. 1933, c. 266, §§ 1, 2. The duties of the revisor of statutes shall be:

I. (1933, c. 266, § 1) During each session of the legislature, to draft public laws at the request of members of the legislature provided the request for such drafting be made during the period expiring at least 1 week before the time set as a limit for the reception of public legislation, and to revise all legislation so far as may be practicable so that it shall be in conformity with and may be properly inserted in the revised statutes, under the direction of the senate and house of representatives;

II. Immediately after each session of the legislature to distinguish private and special laws from the public laws, and to cause cumulative tables to be prepared showing what general statutes have been affected by subsequent legislation in such manner as to furnish ready reference to all such changes in the statutes and in addition thereto shall make a complete index of the public laws of the state passed since the last revision of the statutes. The tables and index so prepared shall be printed in the official edition of the laws of the state;

III. (1933, c. 266, § 2) After each session of the legislature, to cause the public laws enacted thereat to be printed on good paper and in suitable type and to distribute the same within the state to all citizens thereof making a request therefor;