

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 1638

S. P. 655

In Senate, January 17, 1966

The Committee on Appropriations and Financial Affairs suggested.

EDWIN H. PERT, Secretary

Presented by Senator Violette of Aroostook.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SIX

AN ACT to Create a Law Revision Commission.

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

Sec. 1. R. S., T. 3, c. 8, additional. Title 3 of the Revised Statutes is amended by adding a new chapter 8, to read as follows:

CHAPTER 8

LAW REVISION COMMISSION

§ 181. Law Revision Commission created.

There is created a Law Revision Commission consisting of 7 members.

1. **Membership.** The Attorney General and the Director of Legislative Research are ex officio members of the commission. The President of the Senate and the Speaker of the House shall each appoint one member who is an attorney from his respective branch of the Legislature. The Governor shall appoint 2 members nominated by the Executive Committee of the Maine State Bar Association. The Governor shall appoint one member from the faculty of the University of Maine School of Law.

2. **Term of office.** The members appointed by the President of the Senate and the Speaker of the House shall serve from the date of appointment until the final adjournment of the next regular session of the Legislature following their appointment. Each other member shall serve for 2 years from July 1st of the year of his appointment.

3. **Chairman.** The Director of Legislative Research is ex officio chairman of the commission.

4. **Compensation.** The members of the commission appointed by the Governor, the President of the Senate and the Speaker of the House shall be paid \$20 per day and necessary expenses for attendance at each meeting. The other members shall be paid necessary expenses for attendance at meetings.

5. **Vacancy.** When a vacancy occurs in the membership, the official charged with the original appointment shall appoint a qualified person for the remainder of the term in the same manner as provided in subsection 1.

§ 182. Meetings

The commission shall meet at the State House once each month and at other times when necessary on the call of the chairman. The Superintendent of Public Buildings shall provide a meeting place for the commission.

1. **Quorum.** Any 4 members constitute a quorum for the transaction of the business of the commission.

2. **Records of meetings.** The Director of Legislative Research shall keep adequate records of the meetings of the commission.

§ 183. Format

The commission shall establish a format for the layout and organization of the statutes including the method by which the law is divided, the method of numbering the divisions and the method of grouping divisions.

§ 184. Handbook

The commission shall compile a handbook containing the rules to be used in drafting or revising a statute.

1. **Content.** The handbook must contain the modern rules of punctuation, capitalization and English usage for statutory drafting.

§ 185. Complete revision of statutes

The commission shall outline a 10-year program for the complete revision of the statutes and put the program into effect.

1. **Technical and clerical assistance.** The chairman shall appoint technical assistants, subject to the approval of the commission. He shall appoint clerical assistants, subject to the Personnel Law, to accomplish the revision using the established format and handbook.

2. **Advisory committees.** The commission may appoint and pay the expenses of advisory committees from time to time to review the revision of each segment of the law.

3. **Office equipment and supplies.** The commission may obtain office equipment and supplies necessary for performing its duties.

4. **Biennial report.** The commission shall make a biennial report to the Legislature on or before the first of February containing its recommendations for the enactment of revised legislation and shall prepare the legislative bills necessary to effect them. When substantive changes are made, they shall be specifically noted in the report.

§ 186. Purpose of revision

The purpose of revision is to eliminate obsolete provisions, to revise conflicting or unworkable provisions, to restate archaic language, to clarify confusing terminology, and to present the law in a clear, accurate, workable and comprehensive manner.

1. **Commission to enforce purpose.** The commission shall observe this purpose in performing its duties.

2. **Substantive changes restricted.** The revision shall be drafted with only those substantive changes which are necessary to the proper operation of the law.

§ 187. Commission a repository of information

The commission is a repository for information concerning changes in the law necessary to effect harmony with modern conditions.

1. **Suggestions for modernizing the law.** It shall accept and consider suggestions for modernizing the law from the American Law Institute, the Commissioners for the Promotion of Uniformity of Legislation in the United States, the Council of State Governments and other similar organizations.

2. **Suggestions for correcting defects in the law.** It shall accept and consider suggestions for correcting defects in the law from judges, lawyers, bar associations and the general public.

3. **Commission to recommend legislation.** After careful deliberation on the suggestions received, it shall recommend to the Legislature those which have merit and shall prepare the legislative bills necessary to effect them.

§ 188. Delegation of duties

The commission may delegate as many of its duties as necessary to the Director of Legislative Research.

§ 189. Duties restricted

The duties of the commission are restricted to those provided in this chapter.

Sec. 2. Appropriation. There is appropriated from the General Fund of the State the sum of \$15,000 for the fiscal year ending June 30, 1967. The breakdown is as follows:

LAW REVISION COMMISSION

	1966-67
Personal Services	\$12,500
All Other	2,000
Capital	500
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	\$15,000