

MAINE STATE LEGISLATURE

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(NEW DRAFT)

EIGHTIETH LEGISLATURE

SENATE

NO. 183

In Senate, March 30, 1921.

Reported by Mr. Sprague and Mr. Folsom from Committees on Library and Salaries and Fees and laid on table to be printed under joint rules.

L. ERNEST THORNTON, Secretary.

STATE OF MAINE

**IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND TWENTY-ONE**

AN ACT to Consolidate the Library Laws.

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

Section 1. The purpose of this act is to consolidate in one
2 chapter the various provisions of law relating to libraries,
3 and especially to merge in one department the heretofore
4 existing Maine State Library and Maine Library Commis-
5 sion.

Sect. 2. The Maine State Library shall be under the man-
2 agement and control of a board of three trustees who shall
3 be appointed by the governor for a term of six years, pro-

4 vided that the trustees first appointed under this section
5 shall be the present members of the Maine Library Com-
6 mission, and shall serve, one for two years, one for four
7 years and one for six years (and the terms thereafter shall
8 each be of six years' duration). The trustees shall make
9 such rules and regulations as are necessary for the proper
10 management of the library and the safety of its contents.

Sect. 3. The governor and council shall appoint a libra-
2 rian of the Maine State Library, who shall serve for five
3 years and give bond to the state for the faithful perform-
4 ance of the duties of his office. The librarian shall appoint
5 an assistant who shall perform the duties prescribed by
6 him, and shall give bond to the librarian for the faithful
7 performance of the same.

Sect. 4. There shall be procured and kept in the library,
2 full and complete sets of digests, law reports, public laws
3 and legislative documents of the United States and of the
4 several states; a full set of English and Canadian law re-
5 ports, digests and laws; the general works on elementary
6 law and practice; histories of all countries, including those
7 of this state, its counties and towns; works on the arts and
8 sciences with special reference to agriculture, forestry, fish-
9 ing, manufactures, ship building and road making; maps,
10 charts, plans and manuscripts, statistical and other publi-
11 cations relating to the financial, social, religious and educa-
12 tional condition of the world and more especially to this
13 state, as fast as means are furnished by the state therefor,
14 and all printed documents of this state and reports of all

15 departments, offices, institutions and towns, required by law,
16 not distributed by the several departments, shall be kept in
17 the library.

Sect. 5. The librarian shall keep the library open every
2 day in the year, Sundays and the usual public holidays ex-
3 cepted, from nine in the morning until four in the after-
4 noon; and the superintendent of public buildings and his
5 assistants shall see that no one is admitted to the library
6 rooms out of office hours or that any book is taken there-
7 from, without the consent of the librarian.

Sect. 6. Under such rules and regulations as the trustees
2 may prescribe, the librarian may lend books and documents
3 from the library to any responsible citizen of the state, on
4 payment of all carriage charges.

Sect. 7. When the officers of any library or association
2 or any individual shall apply to the librarian and he is sat-
3 isfied that the application is justified he may, from books
4 purchased and kept for the purpose, lend such library, as-
5 sociation or individual, one or more of the traveling libra-
6 ries when such are in stock. Books so lent are to be, in
7 turn, lent free of charge to the patrons of such library or
8 to the citizens of the towns where such library, or associa-
9 tion or individual is located.

Sect. 8. Any person or organization receiving the loan
2 of any books or documents from the Maine State Library
3 shall be responsible for the full value thereof to the libra-
4 rian, and in case of the loss of or damage to a volume belong-

5 ing to a set, shall procure a new volume or be responsible
6 for the value of the set. If any person or organization
7 shall neglect or fail to return any books or documents lent
8 to them, or shall return the same in an injured or multi-
9 lated condition, after due demand and notice, the librarian
10 may maintain an action at law against such person or or-
11 ganization for the full value of such books or documents.
12 Actions to enforce the liability mentioned in this section
13 may be brought by the librarian in his own name in behalf
14 of the state, and in case of his death or removal, the action
15 shall be prosecuted by his successor.

16 Sect. 9. As a part of the general duties of his office, the
17 librarian shall maintain a bureau of historical research. Un-
18 der the direction of this bureau the library shall conduct a
19 system of exchange with other libraries and institutions
20 of learning. It shall also have charge of all Maine historical
21 and genealogical work in the library and carry on research
22 work relating to the history of the state.

23 Sect. 10. Whenever the record of the births, marriages
24 and deaths of any town in the state, previous to the year
25 eighteen hundred and ninety-two, beginning at the very
26 earliest date, shall be collected from church records, church
27 registers, records of clergyman, family bibles, public records
28 and other available sources, and shall be printed and veri-
29 fied in the manner required by the standing committee of
30 the Maine Historical Society, under the editorship of some
31 person selected by said committee, whose services shall be
32 rendered free and without any compensation, and the work

11 shall appear to them to have been prepared with accuracy,
12 the librarian of the state library shall purchase five hun-
13 dred copies of such record at a price not exceeding two
14 cents per page; provided, that the written copies of the town
15 records shall become the property of the state, and shall be
16 deposited in the office of the registrar of vital statistics; and
17 provided, further, that not more than three thousand dollars
18 shall be expended by authority of this section in any one
19 year.

Sect. 11. The volumes purchased as aforesaid shall be
2 distributed by the state librarian as follows: one copy to
3 the free public library of each town and city of the state;
4 one copy to each state and territorial library in the United
5 States; one copy to the library of congress; and one copy
6 to each incorporated historical society in the state; one copy
7 to the library of each college in the state; and one copy
8 to each registry of deeds. The remainder shall be placed
9 in the state library for the purpose of exchange.

Sect. 12. The librarian shall also maintain in the library,
2 a legislative reference bureau which shall collect, arrange
3 and place on file books, pamphlets and other material re-
4 lating to legislation, shall prepare abstracts of laws in other
5 states, and present such other information as may be use-
6 ful and necessary to the legislature in the performance of
7 its legislative duties.

Sect. 13. The Maine Library Commission shall become
2 a part of the Maine State Library and be known as the
3 bureau of library extension. Under the direction of this

4 bureau the library shall lend traveling libraries and carry
5 on all library extension activities such as are enumerated in
6 sections seven and fourteen of this chapter.

Sect. 14. The Maine State Library shall give advice to
2 all school, state, institutional, free and public libraries, and
3 to all communities in the state which may propose to estab-
4 lish libraries as to the best means of establishing and ad-
5 ministering them; selecting and cataloging books, and other
6 details of library management, and may send any of its
7 trustees or employees to aid in organizing such libraries or
8 assist in the improvement of those already established. It
9 may also receive gifts of money, books or other property
10 which may be used or held in trust for the purpose or pur-
11 poses given. It may publish lists and circulars of informa-
12 tion and may co-operate with the libraries and commissions
13 of other states in the publication of documents in order
14 to secure the most economical administration of its work.
15 It may conduct courses or schools of library instruction
16 and hold librarians' institutes in various parts of the state,
17 and co-operate with others in such schools or institutes. It
18 shall perform such other service in behalf of the public li-
19 braries as it may consider for the best interests of the state.

Sect. 15. The librarian shall also establish and maintain
2 an index bureau. This bureau shall have charge of all in-
3 dexing in connection with the work of the library and such
4 other indexing as the legislature and governor and council
5 may direct.

Sect. 16. The librarian shall report to the legislature bi-
2 ennially the receipts and expenditures on account of the
3 library, the number of books, maps and charts acquired dur-
4 ing the two preceding years, specifying those obtained by
5 purchase, donation and exchange and shall make in such
6 report, suggestions in relation to the improvement of the
7 library.

Sect. 17. To provide funds for the administration of the
2 library and for the salaries and expenses incident thereto,
3 there shall be appropriated for each fiscal year sums suffi-
4 cient to carry out in an efficient manner the provisions of
5 this chapter.

Sect. 18. The trustees of the Maine State Library shall
2 receive five dollars a day when engaged in the transaction
3 of their official duties together with their traveling expenses.
4 The librarian shall receive an annual salary of twenty-eight
5 hundred dollars.

Sect. 19. Town clerks of the several towns, city clerks
2 of the several cities, and treasurers of the several counties,
3 shall promptly transmit to the librarian of the Maine State
4 Library, copies of all printed reports of said town, cities
5 and counties, including all printed exhibits of town, city
6 and county expenditures.

Sect. 20. All Maine reports, statutes, digests, acts and
2 resolves, and other publications, printed or purchased by
3 the state, and hereafter distributed according to law or cus-
4 tom, to the several towns and plantations within the state,

5 shall be and remain the property of the state, and shall be
6 held in trust by such towns or plantations for the sole use
7 of the inhabitants thereof, and for no other purpose.

Sect. 21. All such books and publications as may here-
2 after be furnished by the state, to any state, county or town
3 officer, shall be and remain the property of the state, and
4 shall be held in trust by said officer, for the sole use of his
5 said office; and at the expiration of his term of office or on
6 his removal therefrom by death, resignation or other cause,
7 such officer, or if he be dead, his legal representatives, shall
8 turn over to his successor in office all of said books and
9 publications so furnished by the state and shall take a re-
10 ceipt therefor.

Sect. 22. All Maine reports, revised statutes, public laws
2 and digests distributed by the librarian of the state library
3 to the several towns and public officers in the state, shall
4 be plainly marked upon the cover and upon the title page
5 with the following words: "The Property of the State of
6 Maine, not to be sold." Any town not retaining said vol-
7 umes shall not make any requisition upon the librarian for
8 their replacement, and shall forfeit all claim to be supplied
9 with any further state publications.

Sect. 23. The librarian of the state library, may transmit
2 to each department of the United States, to the several li-
3 braries of each state and territory, and to any foreign state,
4 three copies of all the acts and resolves published by the
5 order of the legislature, and one copy of all public docu-

6 ments printed and bound by like order, and one copy of the
7 printed decisions of the supreme judicial court.

Sect. 24. He shall distribute reports of the departments
2 and institutions of the state, and all books and documents
3 published or purchased by the state, to such nations, coun-
4 ties, municipalities, corporations, institutions and persons
5 as are or may be by law entitled to receive the same. He
6 may transmit one copy of each published report of each
7 department of the state government to each library in the
8 state and to such schools and other public institutions there-
9 in as may desire the same. He shall also transmit to the
10 legislature and to each member and officer thereof, as soon
11 after the commencement of its session as practicable, one
12 copy of each of the printed reports of each state depart-
13 ment. He shall maintain a document room, in which shall
14 be stored all department reports and the publications of
15 the state intended for distribution, and shall keep an accur-
16 ate account of all books and documents received.

Sect. 25. The librarian shall send to each representative
2 of the press in attendance at legislative sessions such public
3 documents as are customarily sent to members of the legis-
4 lature.

Sect. 26. Not more than seventy-five copies of each de-
2 partment report shall be retained by the binder for public
3 documents. At least six hundred and seventy-five copies
4 shall be delivered to the state librarian, by the binder, for
5 exchange, library use and general distribution, and the bal-

6 ance of the number of each report shall be delivered to the
7 head of the department or institution where it originated and
8 was prepared for publication.

Sect. 27. Ten copies of each periodical, bulletin, pamph-
2 let or leaflet issued by any department or institution of the
3 state shall be deposited in the state library.

Sect. 28. Any town may establish a free public library
2 therein, for the use of its inhabitants, and provide suitable
3 rooms therefor, under such regulation for its government
4 as the inhabitants from time to time prescribe; and may
5 appropriate, for the foundation and commencement of such
6 library, a sum not exceeding ten dollars, and for its main-
7 tenance and increase annually, a sum not exceeding two
8 dollars for each of its ratable polls in the year next pre-
9 ceding. Any town in which there is a public library may
10 establish and maintain under the general management and
11 control, such branches of the same as the convenience and
12 wants of its citizens seem to demand.

Sect. 29. Any village corporation located in a town where
2 no free library exists, may establish a library within its
3 limits for the free use of all its inhabitants and may levy
4 and assess a corporate tax and appropriate therefrom for
5 its maintenance and increase annually a sum not exceeding
6 one dollar for each ratable poll within the limits of such
7 village corporation in the year next preceding. Village li-
8 braries established under this section shall be subject to all
9 the duties and entitled to all the privileges prescribed by
10 the laws relating to free public libraries in towns.

Sect. 30. Any town may raise and appropriate annually
2 a sum of money, not exceeding the legal limit established
3 for maintaining free libraries, for the purpose of securing
4 to its inhabitants the free use of a library located in an ad-
5 joining town, and shall be entitled to receive from the treas-
6 urer of state a sum not less than seven per cent nor more
7 than ten per cent of the amount so raised, appropriated and
8 expended yearly, provided that no town shall receive an-
9 nually more than five hundred dollars, to be paid on the
10 certificate of its municipal officers returned as provided in
11 section seventy-eight.

Sect. 31. Two or more adjacent towns may unite in es-
2 tablishing and maintaining a free public library with
3 branches thereof in each town, for the free use of all the
4 inhabitants of said towns, and may each raise and appro-
5 priate for that purpose annually a sum not exceeding the
6 legal limit established for maintaining free libraries, and
7 such towns shall be subject to all duties and entitled to all
8 the benefits prescribed by the laws relating to free libraries.

Sect. 32. The municipal officers of any town or city, and
2 the assessors of any village corporation where a free pub-
3 lic library is established, shall annually, on the first day of
4 May, certify to the trustees of the Maine State Library,
5 the amount of money appropriated and expended by said
6 town, city or village corporation during the preceding year,
7 for the purchase of books and documents for the use and
8 benefit of such free public library, and for the payment of
9 the running expenses thereof; the trustees may certify as

10 to grade and quality of service performed by the library;
11 and the governor, with the advice and consent of the council,
12 shall draw a warrant on the treasurer of the state for the
13 purchase of books for the use of such library, for a sum
14 not less than seven per cent nor more than ten per cent of
15 the amount expended by said town or village corporation
16 as certified by its municipal officers or assessors, provided
17 that no town shall receive annually more than five hundred
18 dollars.

Sect. 33. Any town or city, in which there is a library
2 owned or controlled by a corporation or association or by
3 trustees may appropriate a sum not exceeding one dollar
4 for each of its ratable polls in the year next preceding
5 to procure from such library the free use of its books for
6 all the inhabitants of the town or city, under such restric-
7 tions and regulations as shall insure the safety and good
8 usage of the books; and such library shall then be con-
9 sidered a free public library within the meaning of this
10 chapter, and said town or city shall be entitled to the
11 benefits of the preceding section, provided that any books
12 and documents purchased with said stipend, and all books
13 and documents donated by the state, shall be and remain
14 the property of said municipality.

Sect. 34. In every town and city where a free public
2 library exists, the librarian of the state library shall trans-
3 mit to such library all laws, Maine reports, and other doc-
4 uments which the town or city is by law entitled to re-
5 ceive from the state, and the same shall be constantly kept

6 in such library for the use and benefit of all the citizens ;
7 and the officers of said library, on or before the first day
8 of April of each year, shall send to the librarian of the
9 state library a report containing a list of all books and
10 documents purchased with the state stipend for the pre-
11 ceding year, and of all books and documents received from
12 the state in said library. The aid from the state, hereby
13 provided, shall be withheld from any town, city or village
14 corporation until the report herein required to be made on
15 or before the first day of April of each year, shall have
16 been received by the librarian of the state library. And
17 the same shall also be withheld unless said report shall
18 show that the laws, Maine reports and other documents
19 furnished to said town or city by the state are kept in said
20 library as required by this section.

Sect. 35. The trustees of the Maine State Library shall
2 donate to any town having no free public library owned
3 or controlled by the town, books purchased for that pur-
4 pose, not exceeding fifty per cent in value of the books
5 and documents purchased by said town for the purpose of
6 founding a free public library therein ; said donation in no
7 case to exceed one hundred dollars, unless in the judgment
8 of the trustees, it would be to the advantage of the library
9 to receive the amount in some other form.

Sect. 36. Any town, as such, may receive, hold and man-
2 age devise, bequests or gifts for the establishment, in-
3 crease or maintenance of a public library therein ; and may
4 accept by vote of the legal voters thereof, any land or land

5 and buildings thereon, to be used as a public library or
6 art gallery, or both combined. When any plantation is
7 incorporated into a town, such gifts and the proceeds there-
8 of fully vest in such town.

Sect. 37. All acts and parts of acts inconsistent herewith
2 are hereby repealed.