

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)

ACTS AND RESOLVES
AS PASSED BY THE
Eighty-ninth and Ninetieth
Legislatures

OF THE
STATE OF MAINE

From April 21, 1939 to April 26, 1941
AND MISCELLANEOUS STATE PAPERS

Published by the Revisor of Statutes in accordance
with the Resolves of the Legislature approved June
28, 1820, March 18, 1840, March 16, 1842, and Acts
approved August 6, 1930 and April 2, 1931.

KENNEBEC JOURNAL
AUGUSTA, MAINE
1941

PROPERTY OF THE
STATE OF MAINE
NOT TO BE SOLD

Such employee while in the military or naval service of the United States shall be considered as on leave of absence without pay, and for the purpose of computing time in regard to pension rights and seniority, shall be considered as in the service of the state during the period of his national service.'

Sec. 2. Validity. If any term or provision of this act shall be declared unconstitutional or invalid in whole or in part by a court of competent jurisdiction, then to the extent that it is not unconstitutional or invalid such term or provisions shall be enforced and effectuated, and such determination shall not be deemed to invalidate the remaining terms or provisions hereof.

Sec. 3. Duration of act. This act shall cease to be of effect on August 1, 1943.

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

Approved July 31, 1940

Chapter 315

AN ACT to Create a Legislative Research Committee.

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

R. S., c. 2, additional. Chapter 2 of the revised statutes is hereby amended by adding thereto the following numbered sections under a new subtitle to read as follows:

"Legislative Research Committee

Sec. 42-A. Legislative research committee; membership. There is hereby created a legislative research committee, which 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. 42-B. Term of office; vacancies. 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

CHAP. 315

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. 42-C. Authority; studies. The committee shall have authority:

(a) To collect information concerning the government and general welfare of the state.

(b) To examine the effects of constitutional provisions and previously enacted statutes and recommend amendments thereto.

(c) 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.

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

Sec. 42-D. Meetings; quorum. 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. 42-E. Testimony in investigations; fees and mileage of witnesses. 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 judge 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. 42-F. Studies by state officials. 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. 42-G. Governor's message. The governor may from time to time send the committee messages containing his recommendations for legislation and explaining the policy of the administration.

Sec. 42-H. Employment of assistants and research agencies. The committee may employ such assistants and engage the services of such research agencies as it may deem desirable and its appropriation permits.

Sec. 42-I. Minutes and report; rights of members of legislature. 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. 42-J. Recommendations to legislature. The reports of the committee shall be made public at least thirty 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. 42-K. Compensation of members. The members of the committee shall be compensated for the time spent in attendance at meetings of the committee at the rate of five dollars per day and actual expenses incurred while attending said meeting. Provided, however, that no compensation shall be paid hereunder for attendance at any meeting of the committee held while the legislature is in session."

Vetoed. Passed over Governor's Veto October 23, 1940

Chapter 316

AN ACT Relating to Payment of State Officers and Employees.

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

P. L., 1931, c. 216, Art. II, § 16, amended. Section 16 of article II of chapter 216 of the public laws of 1931 is hereby amended by striking therefrom the last paragraph and inserting in place thereof the following: