

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Ninety-second and Ninety-third
Legislatures
OF THE
STATE OF MAINE

From April 22, 1945 to May 14, 1947
AND MISCELLANEOUS STATE PAPERS
From May 25, 1945 to May 14, 1947

Published by the Revisor of Statutes in accordance
with Chapter 10 of the Revised Statutes of 1944.

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-third Legislature

1947

more members, it shall be the duty of the commissioner to call a meeting of the council.'

Sec. 2. Appropriation. There is hereby appropriated from the general fund of the state the sum of \$3,500 for the fiscal year ending June 30, 1948, and the sum of \$3,500 for the fiscal year ending June 30, 1949, to carry out the provisions of sections 25-A to 25-C, inclusive.

Effective August 13, 1947

Chapter 392

AN ACT to Create a Legislative Research Committee.

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

Sec. 1. R. S., c. 9, §§ 23-33, repealed and replaced. Sections 23 to 33, inclusive, of chapter 9 of the revised statutes are hereby repealed and the following enacted in place thereof:

'**Sec. 23. 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 during each regular session.

Sec. 24. Term of office; vacancies. Members of the committee shall hold office from the date of their appointment until the final adjournment 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; purposes. 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 for the coordination of departmental activities, and for methods of increasing efficiency and economy;

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IV. To assist the legislature in the proper performance of its constitutional functions by providing its members with impartial and accurate information and reports concerning the legislative problems which come before it, which information may be obtained by independent studies or by cooperation with and information from similar agencies in other states as to the practice of other states in dealing with similar problems;

V. 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;

VI. 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;

VII. The legislative research committee shall appoint a qualified director of legislative research and the first director shall be the revisor of statutes serving as such at that time, and he shall serve until the expiration of his term. He shall be chosen without reference to party affiliations, and solely on the ground of fitness to perform the duties of his office. He shall be well versed in economics, in political science and law, and in methods of research. He shall hold office for a term of 6 years from the date of his appointment and until his successor has been appointed and qualified. He shall receive a salary of \$6,000 per year and any necessary traveling expenses;

VIII. Appropriations for carrying out the purposes of sections 23 to 26, inclusive, shall be made biennially by the legislature;

IX. Each state department shall furnish to the legislative research committee such documents, material or information as may be requested by the committee or by the director of the legislative research committee;

X. Each officer, board, commission or department of state government shall make such studies for the committee as it may require and as may be reasonably made without derogating from its chief functions and duties;

XI. The governor may from time to time send the committee messages containing his recommendations for legislation and explaining the policy of the administration;

XII. 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 time be considering;

XIII. The reports of the committee shall be made public prior to any regular session of the legislature at which they are to be submitted and copies of said reports shall be distributed to each member of the incoming legislature, to the governor and to the state library;

XIV. The members of the committee shall be compensated for the time spent in attendance at meetings of the committee at the rate of \$10 per day and actual expenses incurred while attending said meetings. Provided, however, that no compensation shall be paid hereunder for attendance at any meeting of the committee held while the legislature is in session.

Sec. 26. Certain specific functions and services of the director. The director shall perform the following functions and duties:

I. Provide a comprehensive research and reference service on legislative problems;

II. Prepare reports setting forth the political, social and economic effects of legislation enacted, or proposed to be enacted, in this state or elsewhere, when so directed by the legislative research committee or by either or both branches of the legislature;

III. Assist and cooperate with any interim legislative committee or other agency created by the legislature or appointed by the governor;

IV. Upon request, assist any agency appointed to revise the statutes of the state or any portion thereof, and at the direction of such agency, to consolidate, revise and clarify the statutes of the state;

V. To furnish to the members of the legislature the assistance of expert draftsmen qualified to aid the legislature in the preparation of bills for introduction into the legislature. During regular sessions of the legislature he shall perform such duties in addition to those provided for in sections 23 to 26, inclusive, as the legislature shall direct;

VI. Prepare and index for printing as promptly as possible after the adjournment of each session the session laws thereof, which compilation shall include all acts and resolves which the legislature has adopted during the session and which have received the approval of the governor, when such approval is necessary, and any other material of a general nature that the committee may determine;

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;

VII. 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;

VIII. After each session of the legislature to prepare a report inserting in their proper places in the revised statutes public laws enacted since the last revision of the statutes, and after each subsequent session of the legislature to prepare and file a report supplementing the report so that such reports and supplements thereto shall form the basis of the next revision of the statutes, such reports to be made to the secretary of state;

IX. After each session of the legislature to prepare a report to the legislature recommending legislation that will keep the statutes continuously revised and to file this report with the secretary of the senate on or before January 1st immediately preceding each biennial session of the legislature;

X. The offices of the director shall be kept open during the time provided for other state offices, and when the legislature is in session at such hours, day and night, as are most convenient for legislators;

XI. The director shall appoint, with the approval of the legislative research committee, such technical assistants, and shall appoint, subject to the provisions of the personnel law, such clerical assistants, as may be necessary to carry out the provisions of sections 23 to 26, inclusive.'

Sec. 2. R. S., c. 10, repealed. Chapter 10 of the revised statutes is hereby repealed.

Sec. 3. Present research committee continued. The first legislative research committee under the provisions of this act shall be the legislative research committee appointed at the regular session of the 93rd legislature and serving as such on the effective date of this act.

Effective August 13, 1947

Chapter 393

AN ACT Relating to Adoption of Neglected Children.

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

R. S., c. 22, § 239-A, additional. Chapter 22 of the revised statutes is hereby amended by adding thereto a new section to be numbered section 239-A, to read as follows:

'Sec. 239-A. Provisions for the adoption of children committed to the state. The department of health and welfare shall be diligent in seeking opportunities to have children who have been committed to its custody placed with the proper persons for adoption. No child shall be placed for adoption for a period of 6 months next following commitment. During said period of 6 months, or longer if deemed advisable, the department shall note the physical and mental condition of the child. At the end of said period if it appears to the department that the physical and mental condition of the child is normal, the department may place said child for adoption with any of the classes of persons described in section 35 of chapter 145. The department shall not give its consent to the adoption of a child until said child has been for 1 year in the home of the person or persons desirous of adopting said child.'

Effective August 13, 1947

Chapter 394

AN ACT Relating to Old Age Assistance.

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

Sec. 1. R. S., c. 22, § 257, amended. Section 257 of chapter 22 of the revised statutes is hereby amended to read as follows: