

MAINE STATE LEGISLATURE

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REVISED STATUTES
OF THE
STATE OF MAINE

1954

1955 SUPPLEMENT

ANNOTATED

IN FIVE VOLUMES

VOLUME 1

**Place in Pocket of Corresponding
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office, state senator or representative in the legislature, but with the clerk of the municipality in which he resides, if he was a candidate for a municipal office to be elected by the registered voters of the entire city, provided the city is one of 10,000 inhabitants or over, an itemized, sworn statement setting forth in detail all the moneys contributed, expended or promised by him to aid and promote his nomination or election, or both, as the case may be, and all existing unfulfilled promises, or liabilities remaining uncanceled and in force at the time such statement is made, whether such expenditures, promises and liabilities were made or incurred before, during or after such election. If no money or other valuable thing was given, paid, expended, contributed or promised, and no unfulfilled liabilities were incurred by a candidate for public office to aid or promote his nomination or election, other than said actual personal expenses, he shall file a statement to that effect within 15 days after the election at which he was a candidate. Any candidate who shall fail to file such a statement shall be punished by a fine of \$25 for every day he is in default, unless he shall be excused by the court. Fifteen days after any such election, the secretary of state or the clerk of the municipality, as the case may be, shall notify the proper prosecuting officer of any failure to file such statement on the part of any candidate, and within 10 days thereafter such prosecuting officer shall proceed to prosecute such candidate for such offense. This section shall not apply to primary elections held under the provisions of sections 15 to 51 of chapter 4. No person elected to any office established by the constitution or laws of this state shall receive any salary or emolument for the period during which he shall have failed to file such statement. (R. S. c. 8, § 6. 1955, c. 429, § 1.)

Effect of amendment.—The 1955 amendment substituted the words “for a municipal office to be elected by the registered voters of the entire city, provided the city

is one of 10,000 inhabitants or over” for the words “for a city, ward or town office” near the middle of the first sentence.

Sec. 7. Statements to be preserved and open to inspection.—All statements filed in accordance with the provisions of the 2 preceding sections shall be preserved for 15 months after the election to which they relate, and shall, during that period, be open to public inspection. The clerk of every city of over 10,000 inhabitants shall provide blank forms suitable for the statements required to be returned to him. (R. S. c. 8, § 7. 1955, c. 429, § 2.)

Effect of amendment.—The 1955 amendment rewrote the second sentence.

Chapter 10.

Legislature. Legislative Research Committee. Commission on Interstate Cooperation.

Section 21-A. Rules and Regulations.

Section 33-A. Commission on Uniform State Laws.

Organization of the Legislature.

Sec. 2. Salary and travel of members of the legislature and representatives of Indian tribes.—Each member of the senate and house of representatives shall receive \$1,250 for the regular session of the legislature, and shall be paid for travel at each legislative session once each week at the rate of 5¢ per mile to and from his place of abode; the mileage to be determined by the most reasonable direct route. 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 \$1,500 for each regular session of the legislature, with the same mileage as other members, and subject to the same deductions 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.

(1955, c. 478, § 1.)

Effect of amendment.—The 1955 amendment, effective on the first Wednesday of January, 1957, increased the salary of members of the senate and house from \$1,000 to \$1,250 and the salaries of the

president of the senate and the speaker of the house from \$1,150 to \$1,500. As only the first and second paragraphs were changed by the amendment, the rest of the section is not set out.

Sec. 3. Senate; organization.

If the secretary of the senate and his assistant are absent at the time set for convening the senate, their duties shall be performed by the secretary of state or his deputy. (R. S. c. 9, § 3. 1955, c. 482, § 1.)

Effect of amendment.—The 1955 amendment added the above paragraph at the end of this section. As the rest of the sec-

tion was not changed, only the paragraph added by the amendment is set out.

Sec. 4. Secretary and assistant secretary of the senate; salaries and duties.—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 preparation of the permanent senate journal. 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 \$5,000 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 \$2,800; his work shall be performed under the direction of the secretary. (R. S. c. 9, § 4. 1945, c. 375, § 1. 1953, c. 422, §§ 1, 2. 1955, c. 482, §§ 2, 3.)

Effect of amendment.—The 1955 amendment increased the salary of the secretary from \$4,000 to \$5,000, and the salary of

the assistant secretary from \$2,400 to \$2,800.

Sec. 6. House of representatives; organization.

If the clerk of the house and his assistant are absent at the time set for convening the house, their duties shall be performed by the secretary of state or his deputy. (R. S. c. 9, § 6. 1955, c. 482, § 4.)

Effect of amendment.—The 1955 amendment added the above paragraph at the end of this section. As the rest of the sec-

tion was not changed, only the paragraph added by the amendment is set out.

Sec. 7. Clerk and assistant clerk of the house; salaries and duties.

—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. In the months of November and December next preceding the convening of the regular sessions of the legislature, he shall keep open his office each Wednesday and Thursday for the convenience of the public and members-elect of the legislature. He shall when the legislature is not in session be the executive officer of the legislature, and unless the legislature otherwise order, have custody of all legislative property and material, arrange for necessary supplies, service and equipment, make all arrangements for incoming sessions of the legislature, have general oversight of chambers and rooms occupied by the legislature, permit state departments to use legislative property, dispose of surplus or obsolete material with the approval of the speaker of the house and president of the senate and approve accounts for

payment. He shall also perform the services required of him by sections 6 and 8. He shall receive a salary of \$5,000 for the year in which the legislature is in regular session and a salary of \$1,000 for the year in which the legislature is not in regular session.

The assistant clerk of the house shall receive a salary of \$2,800; his work shall be performed under the direction of the clerk. (R. S. c. 9, § 7. 1945, c. 375, § 2. 1953, c. 422, §§ 3, 4. 1955, c. 482, § 5.)

Effect of amendment.—The 1955 amendment inserted the second sentence. It also increased the salaries of the clerk and assistant clerk.

Rules and Regulations.

Sec. 21-A. Rules and regulations of departments, etc., declared lawful.—Rules and regulations duly and properly promulgated by the various departments, boards, bureaus, agencies and commissions of the state as authorized under the provisions of laws contained in the revised statutes of 1944, and acts supplemental or amendatory thereto, and which were in effect on December 30, 1954, are hereby declared to be lawful and in effect.

Nothing contained herein shall be construed as depriving the various departments, boards, bureaus, agencies and commissions of the right to amend, revise or otherwise change their rules and regulations in accordance with existing law in their present form or as amended or supplemented. (1955, c. 172.)

Effective date.—The act inserting this section became effective on its approval, April 11, 1955.

Rules of Construction. Affirmations.

Sec. 22. Rules of construction.

XXVIII-A. Wherever in the revised statutes the word “chapter” appears without definite reference, it refers to the chapter in which the word “chapter” appears; if the chapter is given a number, it refers to the chapter so numbered in the revised statutes. Wherever in the revised statutes the word “section” appears without reference to a numbered chapter, it refers to a section of the chapter in which the word “section” appears. (1955, c. 405, § 2.)

Effect of amendment.—The 1955 amendment inserted the above subsection. The section was not changed, only the subsection added by the amendment is set out. XXVIII-A in this section. As the rest of

Legislative Research Committee.

Sec. 24. Legislative research committee; membership.—A legislative research committee, as heretofore established, shall consist of 7 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. The president of the senate and the speaker of the house of representatives shall be members ex officio. The committee shall elect a chairman who shall serve as such at the pleasure of the committee. (R. S. c. 9, § 23. 1947, c. 392, § 1. 1955, c. 381.)

Effect of amendment.—The 1955 amendment increased the number of senators on the committee from three to seven, and added the last two sentences.

Sec. 26. Authority; studies; purposes.

VII. The legislative research committee shall appoint a qualified director of legislative research. 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 \$8,000 per year and any necessary traveling expenses; (1951, c. 412, § 1. 1955, c. 473, § 1.)

Effect of amendment.—The 1955 amendment increased the salary of the director of legislative research from \$7,000 to \$8,000 per year. As only subsection VII was changed by the amendment, the rest of the section is set out.

Sec. 27. Certain specific functions and services of the director.

VII-A. After each session of the legislature to cause to be published cumulative pocket supplements of the volumes of the revised statutes, and any replacement or recompiled volumes thereof, which shall contain an accurate transcription of all public laws, the material contained in the next preceding pocket supplement, complete and accurate annotations to the statutes, appendix and other material accumulated since the publication of the next preceding pocket supplement and a cumulative index of said material. (1955, c. 463, § 1.)

Effect of amendment.—The 1955 amendment, which became effective on approval, May 21, 1955, added the above subsection VII-A to this section. As the rest of the section was not changed, only the subsection added by the amendment is set out.

Commission on Uniform State Laws.

Sec. 33-A. Commission on uniform state laws.—The commission on uniform state laws, as heretofore established, shall consist of 3 members to be appointed for a term of 4 years by the governor with the advice and consent of the council. The commission shall examine subjects on which uniformity of legislation in the different states is desirable; ascertain the best means to effect uniformity; cooperate with the commissioners of other states in the consideration and drafting of uniform acts for submission to the legislature of the several states; and prepare bills for introduction in the legislature.

Each commissioner shall serve without compensation, but shall be entitled to receive his actual disbursements for his expenses in performing the duties of his office. (1955, c. 405, § 3.)

Editor's Note.—Section 4 of the act 1895, c. 138, which relates to the commission which inserted this section repealed P. L. 1895, c. 138, which relates to the commission on uniform state laws.

Chapter 11.

Executive Department. Council.

Governor.

Sec. 2-A. Expense account of governor-elect.—There shall be established the "governor-elect's expense account" to which shall be credited the sum of \$1,500 as a continuing reserve. At the close of each fiscal year there shall be transferred from unappropriated surplus an amount sufficient to restore such expense account to \$1,500.

This appropriation shall be available for expenditure by the governor-elect at his discretion, provided he is governor-elect to his first term in office. This account shall not be subject to audit, except as to total amount to be paid. (1955, c. 476.)

Chapter 12.

State Civil Defense and Public Safety Council.

Sec. 4-A. Rules and regulations.—The director shall make, amend or rescind, after public hearing thereon, notice of which has been duly advertised in