

MAINE STATE LEGISLATURE

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CHAPTER 7

LEGISLATIVE RESEARCH COMMITTEE

Sec.

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- 164. Functions and services of director.

§ 161. Composition of committee; appointment

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.1954, c. 10, § 24; 1955, c. 381.

§ 162. 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.

R.S.1954, c. 10, § 25.

§ 163. Authority; studies; purposes; director

The committee shall have authority:

1. **Collect information.** To collect information concerning the government and general welfare of the State;
2. **Examine construction and statutes.** To examine the effects of constitutional provisions and previously enacted statutes and recommend amendments thereto;
3. **State Government.** To study the possibilities for consolidation in State Government, for elimination of all unnecessary ac-

tivities and of all duplication in office personnel and equipment, and for the coordination of departmental activities, and for methods of increasing efficiency and economy;

4. Assist Legislature. 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;

5. Meetings; quorum; hearings; evidence. 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. The committee may hold either public or private hearings at its discretion and may hold executive sessions, excluding all except members of the committee. At any public hearing, witnesses who testify, whether summoned or not, shall be subject to cross-examination at the will of any interested party or his attorney. In such public hearings, at the request of any interested party or his attorney, common law or statutory rules of evidence shall apply and the Attorney General or any attorney in his department designated by him shall, at the request of the committee or such interested party or his attorney, be present at such public hearings and shall rule on the admissibility of any evidence;

6. Administer oaths; subpoena; witnesses. In the discharge of any duty 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, 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;

1961, c. 417, § 8.

7. Director. 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 \$11,500 per year and any necessary traveling expenses;

1955, c. 473, § 1; 1957, c. 418, § 1; 1959, c. 361, § 1; 1963, c. 380, § 1.

8. Appropriations. Appropriations for carrying out the purposes of this chapter shall be made biennially by the Legislature;

9. State departments to aid. 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;

10. Studies by state departments. 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;

11. Recommendations by Governor. The Governor may from time to time send the committee messages containing his recommendations for legislation and explaining the policy of the administration;

12. Committee minutes. The committee shall keep minutes of matters considered and votes taken at its meetings and shall make reports to the Legislature on all matters which come before the committee, the actions taken thereon, and the progress made in relation thereto;

13. Reports. Reports of the committee may be made from time to time to members of the Legislature and to members of the incoming Legislature and to the public. A final report shall be

made to the Legislature not later than during the first week of each regular session;

14. Compensation. The members of the committee shall be compensated for the time spent in attendance at meetings of the committee and of its duly constituted subcommittees, and when engaged in performance of duties under the instructions of the committee and authorization by its chairman at the rate of \$10 per day and actual expenses incurred. No compensation shall be paid for attendance at any meeting of the committee held while the Legislature is in session.

15. Legislative Finance Officer. The Legislative Research Committee shall appoint a Finance Officer. He shall be chosen without reference to party affiliation and solely on the ground of fitness to perform the duties of his office. 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 \$9,000 per year and any necessary traveling expenses which shall be paid from the legislative appropriation. His duties shall be:

A. To collect and assemble factual information concerning the fiscal affairs of the State for the use of the Joint Appropriations and Financial Affairs Committee of the Legislature in formulating its proposals for appropriations;

B. To examine all requests for appropriations made by the various executive agencies of State Government and attend any hearings necessary to obtain complete information;

C. To examine other requests for payment of which appropriations are to be requested;

D. To report in such manner as shall be directed by the Legislative Research Committee as to any matters which may be of assistance to the committee or the Legislature in forming an independent judgment in the determination of any fiscal matters. (1961, c. 411.)

R.S.1954, c. 10, § 26; 1955, c. 473, § 1; 1957, c. 418, § 1; 1959, c. 361, § 1; 1961, c. 411; c. 417, § 8; 1963, c. 380, § 1.

§ 164. Functions and services of director

The director shall perform the following functions and duties:

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

2. Reports. 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;

3. Assist committees. Assist and cooperate with any interim legislative committee or other agency created by the Legislature or appointed by the Governor;

4. Revision. 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;

5. Bill drafting. 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 this chapter as the Legislature shall direct;

6. Session laws. 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;

7. Copy of public laws. 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;

8. Pocket supplements. 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 re-

compiled 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.

9. Continuing revision. 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;

10. Report. 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;

11. Office hours. 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;

12. Assistants. The director shall appoint, with the approval of the Legislative Research Committee, an assistant director and such technical assistants, and shall appoint, subject to the Personnel Law, such clerical assistants, as may be necessary to carry out this chapter. (1957, c. 397, § 5.)

R.S.1954, c. 10, § 27; 1955, c. 463, § 1; 1957, c. 397, § 5.