

# MAINE STATE LEGISLATURE

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EIGHTH REVISION

THE  
REVISED STATUTES

OF THE  
STATE OF MAINE

PASSED SEPTEMBER 20, 1944, AND TAKING EFFECT  
DECEMBER 30, 1944

VOLUME I



By the Authority of the Legislature

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Any person, firm, association, committee, organization, or corporation which shall expend any money or incur any liability in connection with any such question, in excess of \$5, without reporting it as above provided or who subsequent to the filing of such last report shall expend for any purpose aforesaid more than the amount or amounts set forth in such pre-election report, shall be punished by fine of not more than \$1,000, or by imprisonment for not more than 11 months.

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## CHAPTER 8.

### CORRUPT PRACTICES.

See Const., Me., Art. IX, § 13, re bribery, etc.

**Sec. 1. Application to caucuses, primaries, and to elections. R. S. c. 10, § 1.** The provisions of this section and the 7 following sections shall apply to the election of all officers for whom ballots shall be cast pursuant to the provisions of chapter 5, and to the election of all officers to be voted for by the legislature or either branch thereof, the board of aldermen, municipal officers, common council or city council of any city, to all caucuses and primary elections preliminary to any such other elections and to all candidates to be voted for at such elections, caucuses, and primary elections. The term "caucuses and primary elections" shall include:

- I. All meetings held to nominate a candidate for office or to elect delegates to a nominating convention;
- II. Nominating conventions of such delegates; and
- III. Caucuses of members of the legislature or either branch thereof, of the board of aldermen, common council, or city council of any city.

**Sec. 2. Definitions; appointment of treasurer or political agent to be filed with secretary of state. R. S. c. 10, § 2.** The term "political committee" shall include every committee or combination of three or more persons to aid or promote the success or defeat of any political party or principal in any such election, or to aid or take part in the nomination or election of any candidate for public office. The term "treasurer" shall include all persons appointed by any political committee to receive or disburse moneys to aid or promote the success or defeat of any such party, principal, or candidate. The term "political agent" shall include all persons appointed by any candidate before any such election, caucus, or primary election to assist him in his candidacy. No person shall act as any such treasurer or political agent unless, after his appointment and before the election for which he is appointed, a writing designating him as such treasurer or political agent shall be filed with the secretary of state, except that, in case the duties of such treasurer or political agent shall relate to any city, ward, or town election exclusively, or to any caucus or primary election preliminary thereto, such writing shall be filed with the clerk of the municipality within which such candidate resides instead of with the secretary of state. The treasurer of a representative-class committee shall file such writing with the town clerk of the town within which he resides. Every such writing shall designate the particular period, election, caucus, or primary election during which such treasurership or political agency shall continue. The treasurer or political agent

of any organization or candidate may be the treasurer or political agent of any other organization or candidate, and any candidate for public office may designate himself as his own political agent.

**Sec. 3. Contribution of money for election or nomination purposes regulated. R. S. c. 10, § 3.** Any person nominated as a candidate for public office, or a candidate for such nomination, may make a voluntary payment of money to any treasurer or political agent for any of the purposes permitted by this chapter; provided, however, that no person other than such a candidate shall, to aid or promote the success or defeat of any political party or principal, or of any candidate for public office, within 6 months prior to any such election, make a contribution of money or property to any person other than to a treasurer or political agent. Nothing contained herein shall limit or affect the right of any person to expend money for proper legal expenses in maintaining or contesting the result of any such election.

**Sec. 4. Treasurer or political agent may pay certain expenses. R. S. c. 10, § 5.** Subject to the foregoing limitations, it shall be lawful for any treasurer or political agent, in connection with any election, caucus, or primary election to pay the following expenses:

I. Of hiring public halls and music for conventions, public meetings, and public primaries, and for advertising the same by posters or otherwise;

II. Of printing and circulating political newspapers, pamphlets, and books;

III. Of printing and distributing ballots and posters;

IV. Of renting and furnishing rooms to be used by political committees, and for the reasonable entertainment and refreshment, exclusive of alcoholic beverages, of the members of such committees;

V. Of compensating clerks and other persons employed in committee rooms and at the polls;

VI. Of traveling expenses of political agents, committees, and public speakers, and reasonable compensation to public speakers;

VII. Of necessary postage, telegrams, telephones, printing, newspaper advertising, express, and conveyance charges. The term "conveyance charges" shall include the conveyance of electors to the polls. No treasurer or political agent shall incur any expense for any purpose not authorized by this section.

See c. 4, § 34, re application to primary elections.

**Sec. 5. Treasurer or political agent to file statement of money expended or promised; penalty for failure. R. S. c. 10, § 6.** Within 15 days after any such election, every treasurer and every political agent shall file an itemized sworn statement with the officer with whom his designation was filed as aforesaid, which statement shall include the amount of money or property in each case received or promised, the name of the person from whom it was received or by whom it was promised, the amount of every expenditure made or liability incurred, other than the actual personal expenses of candidates for postage, telegrams, telephones, stationery, express, and traveling, which need not be returned, the name of the person to whom such expenditure or promise was made, and shall clearly state the purpose for which such money or property was so expended or promised. Any treasurer or political agent who shall fail to file such a statement within the time required shall be punished by a fine of \$25 for each day he is in default, unless he shall be excused by the court. This section

shall not apply to primary elections held under the provisions of sections 15 to 50 of chapter 4, nor shall it apply to candidates who are their own political agents, the return required of such candidates under the provisions of the following section being sufficient.

**Sec. 6. After election candidates to file statement of contributions, and expenses; statement to be made if no money was expended; penalty for failure; forfeiture of salary. R. S. c. 10, § 7. 1937, c. 238, § 7.** Every candidate for public office shall, within 15 days after the election at which he was a candidate, file with the secretary of state, if a candidate for United States senator, representative in congress, or for any state or county 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 city, ward, or town office, 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 50 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.

**Sec. 7. Statements to be preserved and open to inspection. R. S. c. 10, § 8.** 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 secretary of state shall, at the expense of the state, provide every city and town clerk with blank forms suitable for the statements required to be returned to him.

**Sec. 8. Persons who shall be deemed guilty of corrupt practices; penalty. R. S. c. 10, § 9.** The following persons shall be deemed to be guilty of corrupt practices and shall be punished by a fine of not less than \$50, nor more than \$2,000, or by imprisonment for not less than 30 days, nor more than 2 years, or by both such fine and imprisonment:

I. Every person who shall directly or indirectly receive, accept, request, or solicit from any person, committee, association, organization, or corporation any money, gift, advantage, preferment, aid, emolument, or any valuable thing whatsoever, for the purpose of inducing or procuring any person to vote or refrain from voting for or against any person, or for or against any measure at any such election, caucus, or primary election;

II. Every person, who, in consideration of any money, gift, advantage, preferment, aid, emolument, or any valuable thing whatsoever, paid, received, accepted, or promised to the advantage of himself or any other person, shall vote or refrain from voting for or against any person, or for or against any measure at any such election, caucus, or primary election;

III. Every person, other than political committees, treasurers, and political agents, as defined in section 2, who shall solicit from any candidate for the office of elector of president and vice-president of the United States, of United States senator, or representative in congress, or of any state, county, town, city, or ward office, any money, gift, contribution, emolument, or other valuable thing for the purpose of using the same for the support, assistance, benefit, or expenses of any club, company, or organization, or for the purpose of defraying the cost or expenses of any political campaign or election; and this subsection shall not be construed to permit political agents of candidates for the legislature to solicit contributions from candidates for the office of United States senator;

IV. Every person who shall, directly or indirectly, pay, give, contribute, or promise any money or other valuable thing to defray or towards defraying the cost or expense of any campaign or election to any person, committee, company, club, organization, or association other than to a treasurer or political agent; but this subsection shall not apply to the actual personal expenses for postage, telegrams, telephones, stationery, express, or traveling incurred by any candidate for office or for nomination thereto;

V. Every person who, in order to secure or promote his own nomination or election as a candidate for public office, shall, directly or indirectly, promise to appoint or promise to secure or assist in securing the appointment, nomination, or election of any other person to any public position, or to any position of honor, trust, or emolument, provided, however, that any person may publicly announce his own choice or purpose in relation to any appointment, nomination, or election in which he may be called to take part, if he shall be nominated for or elected to any public office;

VI. Every person who shall, directly or indirectly by himself or through another person, make a payment or promise of payment to a treasurer or political agent, in any other name than his own, and every treasurer or political agent who shall knowingly receive a payment or promise of payment, or enter or cause the same to be entered in his accounts, in any other name than that of the person by whom such payment or promise of payment is made.

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**Sec. 9. Political advertisements to be signed. R. S. c. 10, § 10.** Whoever writes, prints, posts, or distributes, or causes to be written, printed, posted, or distributed a circular, poster, or advertisement which is designed to promote the nomination or election of a candidate for public office or to injure or defeat the nomination or election of any candidate for public office, or to influence the voters on any constitutional amendment or any other question submitted to the voters, or to influence the vote of any member of the legislature, unless there appears upon such circular or poster or advertisement, in a conspicuous place, either the name of the chairman or secretary or of 2 officers of the organization issuing the same, or of the person who is responsible therefor, with his name and address, shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$100, or by imprisonment for not more than 30 days, or by both such fine and imprisonment. Provided that nothing in this section shall apply to the

editorial or news articles of any magazine or newspaper when the same is not a political advertisement, nor to cards, posters, lithographs, or circulars issued by a candidate advertising his own candidacy.

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## CHAPTER 9.

### LEGISLATURE.

See 1931, c. 216, Art. I, § 1.

Sections 1-10	Organization of the Legislature.
Sections 11-16	Notice of Petitions for Legislation.
Sections 17-18	Constitutional Amendments.
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Sections 23-33	Legislative Research Committee.
Sections 34-39	Commission on Interstate Cooperation.
Sections 40-45	Legislative Counsel and Agents.

#### Organization of the Legislature

**Sec. 1. Certified rolls of members elect. R. S. c. 2, § 36.** The secretary of state shall, on or before the day preceding the meeting of the legislature, furnish to the secretary of the preceding senate a certified roll, under the seal of the state, of the names and residences of senators elect, according to the report of the governor and council, and to the clerk of the preceding house of representatives a certified roll, under the seal of the state, of the names and residences of the representatives elect, according to the report of the governor and council, and shall report the vacancies if any exist.

See Const. of Me., Art. IV.

**Sec. 2. Salary of members of the legislature and representatives of the Indian tribes. R. S. c. 125, § 10. 1935, c. 46. 1941, c. 84.** Each member of the senate and house of representatives shall receive \$600 for the regular session of the legislature, and \$2 for every 10 miles' travel from his place of abode once in each session. 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 \$700 for each session with the same mileage as other members, and subject to the same deduction 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.

When an extra session is called by the governor, the members of the senate and house of representatives shall each be paid \$5 for every day's attendance, and mileage as aforesaid.

The president of the senate and speaker of the house of representatives at such extra session shall receive, in addition, \$2 for every day's attendance.

The member of the Indian tribe elected by it to represent the tribe at the biennial assembly of the legislature shall receive a compensation of \$200 for such attendance.