

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**

**REPORT**

**OF THE**

**ATTORNEY GENERAL**

**for the calendar years**

**1957 - 1958**

August 13, 1957

To Paul A. MacDonald, Deputy Secretary of State

Re: Maine Democrat

. . . You inquire if the Maine Democrat, a corporation organized under the general law of the State of Maine, may accept ads from business houses, to be inserted in their newspaper, and whether such income must be reported under the provisions of Chapter 9 of the Revised Statutes.

It is our opinion that ads may be accepted, but that sums received to pay for such ads must be considered as contributions and reported under the provisions of Chapter 9 of the Revised Statutes of 1954.

Political rights are those which may be exercised in the formation and administration of the government.

Political parties are recognized as such by the government, by virtue of legislative enactment, Chapter 4, Section 1, R. S. 1954.

A "treasurer" is defined as including 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.

"Political committee" shall include every committee or combination of 3 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 activities of parties, their candidates and officers, are carefully governed by statute. For example, no treasurer or political agent shall incur *any* expense for any purpose not authorized in Section 4 of Chapter 9.

Section 4-II authorizes a treasurer or political agent in connection with any election, caucus or primary election to incur expenses for "printing and circulating political newspapers . . ."

Although incorporated, the Maine Democrat is still bound by the laws governing political activities.

While we cannot find a definition of the term "contribution" in the laws relating to elections, we think that the historical use of the term is a proper one—any funds received to further the efforts of a political party, principal or candidate—and that any such moneys received for ads would be considered contributions and reported as such.

FRANK F. HARDING  
Attorney General

August 19, 1957

To Earle R. Hayes, Secretary, Maine State Retirement System

Re: Military Leave

In your memo of August 5, 1957, you directed our attention to Chapter 26 of the Public Laws of 1957, which reads as follows:

"No such credits shall be allowed to count toward a state retirement benefit beyond the period of first enlistment or induction into the said