

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

SEVENTY-SIXTH LEGISLATURE

SENATE NO. 477

In Senate, March 13, 1913.

Reported by Senator Bailey from Committee on Legal Affairs, and ordered printed under joint rules.

W. E. LAWRY, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THIRTEEN.

AN ACT to amend the Primary Election Law.

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

Section 1. Section 18 of "An Act to provide for nomination of candidates of political parties by primary elections," adopted by the qualified voters of this state at the special election held on September 11, 1911, is hereby amended so as to read as follows:

'Sect. 18. Each candidate, so nominated, shall, with such acceptance, send to the secretary of state the following return by him subscribed and sworn to:

RETURN OF EXPENDITURES.

To the Secretary of State:

I,, of, nominated for the
 12 office of, at the primary election held
 13 on June 19 , on oath depose and say that
 14 the following is a true and perfect return of all expendi-
 15 tures by me made, or liabilities by me incurred for any pur-
 16 pose whatever, except my actual personal expenses for post-
 17 age, telegrams, telephones, stationery, express and travel-
 18 ing, in connection with my said nomination, or the procure-
 19 ment thereof, before, at, or since said primary election.

20 The total amount thereof was..... \$.....

21 The aforesaid amount is made up of the fol-
 22 lowing:

23 Printing	\$.....
24 Clerk hire	\$.....
25 Newspaper advertising	\$.....
26 Hall rent	\$.....
27 Soliciting agents	\$.....
28 Miscellaneous	\$.....
Total	\$.....

30 Of the above, the following are itemized:

PRINTING.

32 Name.	Date.	Amount.
----------	-------	---------

(The subdivisions of Clerk Hire, Newspaper Advertising,

34 Hall Rent and Soliciting Agents shall follow the following
 35 form.)

MISCELLANEOUS.

37 Name.	Date.	Amount.	Purpose.
----------	-------	---------	----------

I further depose and say that no person, firm or corporation has with my knowledge and consent paid any sum, or incurred any liability, other than to myself, or my political agent, to procure, or to aid in procuring, my nomination aforesaid.

Dated.....A. D. 19 ..

45 State of Maine,

County, ss.A. D. 19 ..

Personally appeared and made oath
48 that the foregoing return by him signed is true.

Before me,

Justice of the Peace.

If any statement in said return is wilfully false it shall be
52 deemed to be perjury and shall be punished accordingly.
53 No expenditures shall be so made, or liabilities be so incurred
54 except for the purposes named aforesaid in said return. The subdivision "Miscellaneous" shall not exceed ten
55 per cent of the total amount hereinafter permitted, and shall
56 include no items not legitimate under chapter 122 of the
57 Public Laws of 1911, as now or hereafter amended, subsections (d) and (e) of which act, as applied to primary
58 elections, are to be construed as if reading as follows:
59
60 "(d) of renting and furnishing rooms to be used by candidates or their political agents, and for the reasonable entertainment and refreshment exclusive of alcoholic beverages, of political agents;" "(e) of compensating clerks and
61
62
63
64

65 other persons employed in candidates' rooms and at the
66 polls." Political agents of candidates appointed under the
67 provisions of said chapter 122 shall, within fifteen days
68 after the date of the primary election, make to the secre-
69 tary of state the return required by this section of candi-
70 dates, omitting only therefrom any sums expended by him
71 for the actual personal expenses of the candidate for post-
72 age, telegrams, telephones, stationery, express, and travel-
73 ling; and the form of the return shall be varied accordingly.
74 Candidates who are their own political agents need not make
75 a separate return in the latter capacity. Any political agent
76 failing to make return within the time required, shall be
77 fined twenty-five dollars for each day on which he is in
78 default, unless he shall be excused by the court, but such
79 failure shall not avoid nor affect the nomination of the can-
80 didate.

The returns aforesaid shall be open to public inspection for
82 one year and then be destroyed. The failure of any can-
83 didate to file a return within the time required by this act,
84 shall render his nomination void.'

Sect. 2. Section 22 of said act is hereby amended by in-
2 serting after the words "withdraw in writing" the words
3 'or shall forfeit his nomination by failure to accept, or to
4 file return, as provided in sections 17 and 18,' so that said
5 section, as amended, shall read as follows:

'Sect. 22. In case any candidate, except for the United
7 States Senate, who has been duly nominated as the result

8 of any primary election hereunder, shall die before the day
9 of the gubernatorial election, or shall withdraw in writing,
10 or shall forfeit his nomination by failure to accept, or to
11 file return, as provided in sections 17 and 18, the vacancy
12 may be supplied by the political party of such nominee by
13 any convention of delegates or appropriate caucus, under
14 the provisions of sections two, three, and seven of chapter
15 six of the Revised Statutes, or, if the time is insufficient
16 therefor, then the vacancy may be supplied by the regularly
17 elected state, congressional district, county, town, city, plan-
18 tation or representative class committee, as the case may
19 be, of such political party. The certificate of nomination,
20 made for supplying such vacancy, shall state, in addition
21 to the other facts required by this section, the name of the
22 original nominee, the facts causing the vacancy, and the
23 measures taken in accordance with the above requirements
24 for filling the vacancy; said certificate shall be accompanied
25 by the withdrawal, if any, and shall be signed and sworn
26 to by the presiding officer or secretary of the convention or
27 caucus, or by the chairman or secretary of the duly au-
28 thorized committee, as the case may be. The name so sup-
29 plied for the vacancy shall, if the ballots have not been print-
30 ed for the office already, be placed on the ballots instead of
31 the original nomination; or, if the ballots have been printed,
32 new ballots containing the new nomination shall, whenever
33 practicable, be furnished, or slips containing the new nom-
34 ination shall be printed under the direction of the secretary

35 of state, which may be pasted in proper place upon the bal-
36 lots and thereafter shall become part and parcel of said
37 ballots as if originally printed thereon.'

Sect. 3. Section 23 of said act is hereby amended by in-
2 serting after the words "withdraw in writing," the words
3 'or shall forfeit his nomination by failure to accept or to
4 file return, as provided in sections 17 and 18,' so that said
5 section, as amended, shall read as follows:

'Sect. 23. In case any nominee for United States senator,
7 nominated hereunder, shall die before the meeting of the
8 legislature at which such office is to be filled, or shall be-
9 fore that time withdraw in writing, or shall forfeit his nom-
10 ination by failure to accept or to file return, as provided in
11 sections 17 and 18, a state primary election shall be ordered
12 by proclamation of the governor, at such date as he deems
13 best, conforming as near as may be practicable to the pro-
14 visions of this act, but in that event the governor in said
15 proclamation shall fix the time within which and when the
16 returns shall be received and the result declared. Candi-
17 dates so chosen shall be subject to the provisions of this
18 act regulating acceptances and returns by candidates for
19 United States senator.'