

MAINE STATE LEGISLATURE

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SEVENTY-NINTH LEGISLATURE

HOUSE

NO. 3

House of Representatives, Jan. 9, 1919.

Referred to Committee on Judiciary and five hundred copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Smith of Skowhegan.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND NINETEEN

AN ACT to Provide for the Registration of Legislative Counsel
and Agents.

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

Section 1. The term "person," as used in this act, shall
2 be held to include firms, associations, and corporations.

The term "legislative counsel," as used in this act, shall be
2 held to mean any person who for compensation shall appear
3 at any public hearing before any committee of the legis-
4 lature in regard to proposed legislation.

The term "legislative agent," as used in this act, shall be
2 held to mean any person who for compensation shall per-
3 form any act intended to promote or oppose proposed legis-

4 lation, except to appear before committees of the legislature
5 at public hearings as legislative counsel; and shall include
6 all persons who for compensation may approach individual
7 members of the legislature, or members-elect thereof, with
8 the intent in any manner directly or indirectly to influence
9 their action upon proposed legislation.

Sect. 2. No person shall hereafter act in any manner in
2 the capacity of legislative counsel or legislative agent unless
3 and until his name shall have been registered in that capacity
4 in the manner hereinafter provided.

Sect. 3. The secretary of state shall prepare and keep a
2 docket of legislative counsel for the purpose of registering
3 therein all persons employed in that capacity, and a docket
4 of legislative agents for the similar registration of all per-
5 sons employed in that capacity. Each of said dockets shall
6 be in a form appropriate for the proper recording therein
7 of the information required by this act, and shall be at all
8 times open to public inspection.

Sect. 4. Every employer of legislative counsel shall within
2 one week after such employment, or in case of the contin-
3 uance of a present employment within one month after this
4 act shall go into effect, cause the name of every such coun-
5 sel, his residence and occupation, the name and business
6 address of the employer, the date and duration of the em-
7 ployment, and the special subjects of legislation, if any, to
8 which the employment relates, to be entered upon the docket
9 of legislative counsel above mentioned.

Sect. 5. Every employer of a legislative agent or agents
2 shall within one week after such employment, or in case of
3 the continuance of a present employment within one month
4 after this act shall go into effect, cause the name of every
5 such agent, his residence and occupation, the name and busi-
6 ness address of the employer, the date and duration of the
7 employment, and the special subjects of legislation, if any,
8 to which the employment relates, to be entered upon the
9 docket of legislative agents above mentioned.

Sect. 6. No registration of a legislative counsel or agent
2 under this act shall be operative except as to the special
3 subjects of legislation mentioned in said registration, and
4 the subsequent procuring of any person as legislative coun-
5 sel or agents for additional subjects of legislation, or for a
6 different period of time, shall be held to be a new employ-
7 ment and to require new registration.

Sect. 7. Every legislative counsel or agent shall, within
2 ten days after registration as herein provided, file with the
3 secretary of state a written authority to act as such counsel
4 or agent, signed by the person named as employer in such
5 registration, or, in the case of a corporation, by its duly
6 authorized president, treasurer, managing director, or gen-
7 eral agent, or, in the case of any unincorporated association
8 of individuals, by any official thereof duly authorized by
9 by-law or vote.

Sect. 8. No legislative committee shall allow any person
2 attempting to appear before it in the capacity of legislative

3 counsel to so appear without registration as herein provided ;
4 and in case of any insufficiency of registration, or uncer-
5 tainty as to the scope of employment of such legislative
6 counsel such committee may require such person to state
7 fully and particularly the character, duration and extent of
8 such employment, and may require additional and more
9 particular registration as a condition precedent to his ap-
10 pearance as legislative counsel.

Sect. 9. No person shall be employed as legislative coun-
2 sel or agent for a compensation contingent upon the passage,
3 rejection or modification of proposed legislation, or other
4 contingency connected with the action of the legislature, or
5 either house thereof, or of any committee thereof, concern-
6 ing such legislation.

Sect. 10. Within thirty days after the adjournment of
2 each legislature, every person whose name shall appear as
3 an employer of legislative counsel or agents upon either of
4 said dockets shall render to the Secretary of State a com-
5 plete, detailed statement, under oath, of all expenses incurred
6 or paid in connection with the employment of legislative
7 counsel or agents, or with promoting or opposing legisla-
8 tion. When such expense is included in an employment by
9 annual salary or retainer, the statement shall specify the
10 amount of salary or retainer apportioned therefor. In case
11 such employment is without apportionment, then the total
12 salary or retainer which includes such services shall be stat-
13 ed. Such statements shall be in such form as the Secretary

14 of State may prescribe, and shall be open to public inspec-
15 tion.

Sect. 11. Whoever violates any of the provisions of this
2 act shall be punished by a fine of not less than one hundred
3 nor more than one thousand dollars. Prosecutions for such
4 violations may, and at the request of the legislature or any
5 committee thereof shall, be instituted by the Attorney-Gen-
6 eral and prosecuted by him.

In case of such violation by any person acting or attempt-
2 ing to act as legislative counsel or agent, such person may
3 be disbarred by the legislature from acting in either of said
4 capacities for a period of three years from the date of his
5 conviction before said legislature. Disbarment proceedings
6 shall be initiated and prosecuted under such rules and regu-
7 lations as the legislature may from time to time prescribe,
8 but only upon reasonable notice to the person charged with
9 a violation of this act, and after a full and fair hearing be-
10 amount of the salary or retainer apportioned therefor. In
11 case such employment is without apportionment, then the
12 total salary or retainer which includes such services shall be
13 stated. Such statements shall be in such form as the Sec-
14 retary of State may prescribe, and shall be open to public
15 inspection.

Sect. 12. The provisions of this act shall not apply to
2 state, county or municipal officials, or their regularly elected
3 or appointed subordinates, who appear before legislative
4 committees or otherwise furnish information to the legisla-

5 ture or members thereof or act in the discharge of their duty
6 relative to proposed legislation affecting their public duties,
7 for no other compensation than their ordinary salary or
8 compensation as such public official or subordinate.