

MAINE STATE LEGISLATURE

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SEVENTY-NINTH LEGISLATURE

SENATE

NO. 15

In Senate, Jan. 9, 1919.

Referred to Committee on Judiciary and one thousand copies ordered printed. Sent down for concurrence.

P. F. CRANE, Secretary.

Presented by Sen. Folsom of Somerset.

STATE OF MAINE

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

AN ACT to Regulate the Employment of Legislative Counsel
or Agents.

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

Section 1. A person, corporation or association employ-
2 ing or agreeing to employ a person to act as counsel or
3 agent to promote or oppose, directly or indirectly, legis-
4 lation by the legislature, or to act as a legislative counsel
5 or agent in connection therewith, shall, within ten days after
6 such employment or agreement, cause the name of such
7 counsel or agent to be entered upon a docket as hereinafter
8 provided and such counsel or agent shall also enter his name
9 upon such docket. Upon the termination of such employ-

10 ment such fact may be entered opposite to the name of such
11 counsel or agent either by him or by his employer.

Sect. 2. The secretary of state shall prepare and keep a
2 docket of legislative counsel in which shall be entered the
3 names of counsel employed to appear at any public hearing
4 before committees of the legislature and the names of all
5 counsel of persons, corporations or associations who act or
6 advise in relation to legislation. He shall also prepare and
7 keep a docket of legislative agents in which shall be entered
8 the names of the agents employed in connection with legis-
9 lation and of persons employed for other purposes who ren-
10 der any service as such agents. Such entries shall include
11 the name and business address of the employer, the name,
12 residence and occupation of the person employed, the date
13 of the employment or agreement therefor, the duration of
14 the employment, and the special subjects of legislation, if
15 any, to which the employment relates.

Sect. 3. A person, corporation or association employing
2 any legislative counsel or agent shall, from time to time, as
3 subjects of legislation are introduced which counsel or agent
4 is to promote or oppose, make additional entries under his
5 or its name, in the appropriate docket, stating such employ-
6 ment and specifically referring to the bills, petitions, orders
7 or other subjects of legislation to which it relates. Such
8 entries shall also be made opposite the names of such coun-
9 sel or agents so that the entries opposite the name of the
10 employer shall show all the subjects of legislation relative

11 to which any counsel or agent is employed by him or it,
12 and so that the entries opposite the name of every person
13 employed shall show all the subjects of legislation with
14 reference to which he is employed. No legislative commit-
15 tee shall allow a person to appear as counsel before it in
16 respect to any legislation not described in the docket of
17 legislative counsel against his name.

Sect. 4. No person shall be employed as a legislative coun-
2 sel or agent for a compensation dependent upon the passage
3 or rejection of proposed legislation or upon any other con-
4 tingency connected with the action of the legislature or of
5 either branch thereof or of a committee thereof. A person
6 whose name is entered upon the docket of legislative counsel
7 shall not render service as legislative counsel or agent other-
8 wise than by appearing before a committee and doing work
9 properly incident thereto or by giving legal advice as reg-
10 ular legal counsel of corporations or associations, unless his
11 name is also entered upon the docket of legislative agents.

Sect. 5. Every legislative counsel or agent shall, within
2 ten days after entering his name upon a docket as herein-
3 before provided, file with the secretary of state a written
4 authority to act as such counsel or agent, signed by the
5 person, corporation or association for whom or for which
6 he assumes to act. Whoever fails to comply with the pro-
7 visions of this section shall be punished by a fine of not
8 more than one thousand dollars or shall be declared by the
9 court trying the case to be disqualified from acting as a

10 legislative counsel or agent for three years, or be punished
11 by both such fine and disqualification.

Sect. 6. The legislature may, upon cause shown therefor,
2 disbar a person from acting as a legislative counsel or agent ;
3 but a person against whom proceedings are brought for
4 disbarment shall be allowed a hearing before a committee
5 or otherwise as the legislature may determine. No person
6 who has been disbarred shall be employed as legislative coun-
7 sel or agent within three years after his disbarment.

Sect. 7. The dockets of legislative counsel and agents for
2 each two years shall be closed at the final adjournment of
3 the regular session of the legislature and the dockets for
4 the ensuing two years shall then be opened.

Sect. 8. Within sixty days after the final adjournment of
2 any session of the legislature, every person, corporation or
3 association whose name appears upon the dockets so closed,
4 as employers of any legislative counsel or agent, shall render
5 to the secretary of state a complete and detailed statement,
6 under oath, of all expenses incurred or paid in connection
7 with such employment of legislative counsel or agents, or
8 with promoting or opposing any legislation. When such
9 expense is included in an employment by annual salary or
10 retainer, the statement shall specify the amount of the salary
11 apportioned therefor. In case such employment is without
12 such apportionment, then the total salary or retainer which
13 includes such service shall be stated. Such statements shall
14 be in such form as the secretary of state may prescribe and
15 shall be open to public inspection.

Sect. 9. Whoever violates any provision of sections one, 2 three, four and eight of this act shall, for each offense, be 3 punished by a fine of not less than five hundred or more 4 than one thousand dollars. Any person acting as a legis- 5 lative counsel or agent contrary to the provisions of said 6 sections one, three and four shall, in addition to such fine, 7 be disbarred from acting as legislative counsel or agent for 8 three years from the date of his conviction.

Sect. 10. The attorney general shall cause prosecutions 2 to be instituted for the violation of the provisions of any 3 section or sections of this act.

Sect. 11. The term "legislative counsel" as used in this 2 act shall be construed to mean any person who for com- 3 pensation appears at any public hearing before committees 4 of the legislature in regard to proposed legislation and who 5 does no other acts in regard to the same except such things 6 as are incident to such appearance before such committees. 7 The term "legislative agent" as used in this act shall be 8 construed to mean any person, firm, association or corpo- 9 ration that for hire or reward does any act to promote or 10 oppose proposed legislation except to appear at public hear- 11 ings before committees of the legislature as legislative 12 counsel.

Sect. 12. The provisions of this act shall not apply to 2 the employment by a city or town of its solicitor or town 3 agent to appear in its behalf before committees of the legis- 4 lature or to represent it in any legislative proceeding.