

MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

Senate Document

No. 161

S. P. 380

In Senate, Feb. 13, 1929.

Referred to Committee on Judiciary and 500 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Martin of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-NINE

AN ACT to Require Full Returns of Expenditures in Primary
Elections and to Increase the Limitations.

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

Section 1. Section eighteen of chapter six of the revised
2 statutes is hereby amended by omitting the words relative
3 to exceptions for "postage, telegrams, telephones, station-
4 ery, express and traveling" so that said section as amended
5 shall read as follows:

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

RETURN OF EXPENDITURES

To the Secretary of State:

I, _____, of _____, nominated
 2 for the office of _____, at the primary election
 3 held on June _____, 19____, on oath depose and say that the
 4 following is a true and perfect return of all expenditures
 5 by me made, or liabilities by me incurred for any purpose
 6 whatever in connection with my said nomination, or the
 7 procurement thereof, within two years before, at, or since
 8 said primary election.

The total amount thereof was \$ _____

The aforesaid amount is made up of the following:

Postage	\$ _____
Telegrams	\$ _____
Telephones	\$ _____
Stationery	\$ _____
Express	\$ _____
Traveling	\$ _____
Printing	\$ _____
Clerk hire	\$ _____
Newspaper advertising	\$ _____
Hall rent	\$ _____
Soliciting agents	\$ _____
Miscellaneous	\$ _____
Total	\$ _____

Of the above, the following are itemized:

PRINTING

Name	date	Amount
(The subdivisions of clerk hire, newspaper advertising,		
2 hall rent and soliciting agents shall follow the foregoing		
3 form.)		

MISCELLEANOUS

Name.	Date	Amount	Purpose.
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I further depose and say that no person, firm or corpora-
 2 tion has with my knowledge and consent paid any sum, or
 3 incurred any liability, other than to myself, or my political
 4 agent, to procure, or to aid in procuring, my nomination
 5 aforesaid.

Dated A. D. 19 .

State of Maine,

County, ss. A. D. 19.

Personally appeared and made oath that
 2 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
 2 be deemed to be perjury and shall be punished accordingly.
 3 No expenditures shall be so made, or liabilities be so in-
 4 curred except for the purposes named aforesaid in said
 5 return. The subdivision "Miscellaneous" shall not exceed
 6 ten per cent of the total amount hereinafter permitted, and
 7 shall include no items not legitimate under sections one
 8 hundred and twenty-four to one hundred and thirty-two,

9 both inclusive, of chapter seven; subsections (d) and (e)
10 of section one hundred and twenty-eight of chapter seven,
11 as applied to primary elections, are to be construed as if
12 reading as follows: '(d) of renting and furnishing rooms
13 to be used by candidates or their political agents, and for
14 the reasonable entertainment and refreshment exclusive of
15 alcoholic beverages, of political agent;' '(e) of compensat-
16 ing clerks and other persons employed in candidates' rooms
17 and at the polls.' Political agents of candidates appointed
18 under the provisions of said sections shall, within fifteen
19 days after the date of the primary election, make to the
20 secretary of state the return required by this section of
21 candidates, and the form of the return shall be varied ac-
22 cordingly. Candidates who are their own political agents
23 need not make a separate return in the latter capacity. Any
24 political agent failing to make return within the time re-
25 quired, shall be fined twenty-five dollars for each day on
26 which he is in default, unless he shall be excused by the
27 court, but such failure shall not avoid nor affect the nomi-
28 nation of the candidate. The returns aforesaid shall be
29 open to public inspection for one year and then be destroyed.
30 The failure of any candidate to file a return within the time
31 required by section seventeen, shall render his nomination
32 void.

Sect. 2. Section twenty-one of chapter six of the revised
2 statutes relating to limitations of expenditures is hereby
3 amended so that said section shall read as follows:

‘Sect. 21. The expenditures to be made, and liabilities incurred, for which returns are to be made as hereinbefore provided, shall not exceed in amount for each candidate the following: In case of nomination for any office to be filled by the voters of the state five thousand dollars; for members of congress two thousand dollars; for state senators and county officers five hundred dollars, for each ten thousand votes cast for governor within the county at the last preceding gubernatorial election or fraction thereof; for members of legislature in representative districts having three representatives or more three hundred dollars, in other representative districts one hundred fifty dollars; for United States senator five thousand dollars. Whenever such expenditures and liabilities exceed the foregoing limitations, upon proof thereof to the satisfaction of the secretary of state, after complaint, notice and hearing, or upon the admission of the fact by the candidate in his return, the finding of such fact by the secretary of state shall be deemed to be a withdrawal by such candidate and the vacancy shall be filled in like manner as if such candidate had filed a withdrawal in writing.’

Sect. 3. Section one hundred twenty-seven of chapter seven of the revised statutes is hereby amended so that said section as amended shall read as follows:

‘Sect. 127. No person other than a treasurer or political agent shall pay any of the expenses of any election, caucus, or primary election, except that a candidate may pay his

4 actual personal expenses as provided in section eighteen of
5 chapter six ; but the provisions of this section shall not apply
6 to non-partisan elections and ante-election expenses paid for
7 out of the public moneys of the state, or of any town, city or
8 other municipality.'