

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)

EIGHTY-FIFTH LEGISLATURE

Legislative Document

No. 48

S. P. 71

In Senate, Jan. 21, 1931.

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

ROYDEN V. BROWN, Secretary.

Presented by Senator Murchie of Washington.

STATE OF MAINE

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

AN ACT to Require full returns of expenditures in Primary
Elections and to provide for publicity in connection there-
with.

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

Section 1. Section nineteen of chapter seven of the revised statutes is hereby amended by striking out said section as it now appears and inserting in place thereof the following:

'Sect. 19. Each candidate nominated in any primary election 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 office of _____, at the primary election held on June _____, 19____, on oath depose and say that the following is a true and perfect return of all expenditures by me made, or liabilities by me incurred for any purpose whatever in connection with my said nomination, or the procurement thereof, before, at or since said primary election.

The total amount thereof was _____ \$

The aforesaid amount is made up of the following:

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

Of the above, the following are itemized:

PRINTING.

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

(The subdivisions of clerk hire, newspaper advertising, hall rent, soliciting agents, telegrams, telephones, stationery, express, traveling expenses and hotel bills shall follow the foregoing form.)

MISCELLANEOUS.

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

I further depose and say that no person, firm, association, committee, organization, or corporation has with my knowledge or consent paid any sum, or incurred any liability, other than such as are included in reports filed with the secretary of state as required in section twenty-two to procure, or to aid in procuring, my nomination aforesaid.

Dated A. D. 19 .

State of Maine,

County, SS.

A. D. 19 .

Personally appeared and made oath 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 deemed to be perjury and shall be punished accordingly. No

expenditures shall be so made, or liabilities be so incurred except for the purposes named aforesaid in said return. The subdivision "Miscellaneous" shall not exceed ten per cent of the total amount expended and shall include no items not legitimate under sections one to ten, both inclusive, of chapter ten; sub-sections (d) and (e) of section five of chapter ten, as applied to primary elections, are to be construed as if reading as follows: "(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 other persons employed in candidates' rooms and at the polls." Political agents of candidates appointed under the provisions of said sections shall, within fifteen days after the date of the primary election, make to the secretary of state the return required by this section of candidates; and the form of the return shall be varied accordingly. Candidates who are their own political agents need not make a separate return in the latter capacity. Any political agent failing to make return within the time required shall be fined twenty-five dollars for each day on which he is in default, unless he shall be excused by the court, but such failure shall not avoid nor affect the nomination of the candidate. The returns aforesaid shall be open to public inspection for one year and then be destroyed. The failure of any candidate to file a return within the time required by section eighteen shall render his nomination void.

Each candidate nominated in any political convention shall, within fifteen days after the date of such convention file with the secretary of state a return similar in form to that hereinbefore set forth and the failure of any person so nominated to file a return within said period of fifteen days shall render his nomination void.'

Sect. 2. Section twenty-two of said chapter seven of the revised statutes is hereby amended by striking out said section and substituting in place thereof the following:

'Sect. 22. It shall be unlawful for any candidate or for any person, firm, association, committee, organization, or corporation, on behalf of a candidate or for the purpose of aiding the candidacy of any person, to make any expenditure or incur any liability, either for printing, publication, postage, clerk hire, newspaper advertising, renting of halls or other

places, soliciting agents, hauling voters or any other act or thing calculated to induce or procure any person or persons to vote for any candidate for office in a primary election unless on the dates hereinafter set forth next ensuing after the making of any such expenditure or the incurring of any such liability such candidate, person, firm, association, committee, organization, or corporation shall report the same to the secretary of state setting forth in detail the nature and amount of the expenditure made or liability incurred with the name of the candidate, his address, the election district and the office in question. For such expenditures as are made and such liabilities as are incurred thirty days or more prior to the date of any such primary election, such report shall be made on the first day of the month in which such election is to be held and for such expenditures as may be made or such liabilities as may be incurred during said period of thirty days such report shall be made so as to reach the office of the secretary of state not later than ten o'clock in the forenoon of Saturday in each week during such thirty day period. The last report to be made in accordance with this provision, which shall reach the office of the secretary of state as aforesaid not later than ten o'clock in the forenoon on the Saturday next preceding any such election, shall include in addition to such expenditures as have been made and such liabilities as have been incurred up to the time of the making of such report, a statement of such sum or sums, if any, as such candidate, person, firm, association, committee, organization, or corporation proposes to make or incur thereafter in connection with such campaign.

The secretary of state shall, thirty days before the date of any such election, publish in all the daily and weekly papers in the state a statement setting forth the total expenditures made in accordance with the information filed with him under the terms of the foregoing paragraph by any candidate, person, firm, association, committee, organization, or corporation giving for each office a list of the parties making such expenditures and the amounts thereof, which list shall for each office be arranged alphabetically except that the names of the candidates whose names are to appear on the ballots shall be first listed under each office. Said secretary of state shall revise and republish such figures in each of said papers fifteen

days as near as may be before such election and again in the daily papers of the state on the Monday of any such primary election.

It shall be unlawful in the same manner as hereinbefore set forth for any person, firm, association, committee, organization, or corporation, on behalf of the candidacy of any person whose name is to be presented before any political convention as a candidate for any office, to make any expenditure or incur any liability for any of the purposes set forth in the first paragraph of this section unless seven days at least prior to the convening of any such convention the same shall be reported to the secretary of state in the same manner as above set forth for primary elections, and such report shall include in addition to such expenditures as have been made and such liabilities as have been incurred up to the time of the making thereof a statement of such sum or sums, if any, as the maker of such report proposes to make or incur thereafter in connection with such nomination.

The secretary of state shall, on the day before the convening of any political convention publish in all the daily papers in the state a statement setting forth the total expenditures made in accordance with the information filed with him under the terms of the foregoing paragraph in connection with each office for which a candidate is to be nominated at such convention and such list shall for each office be arranged alphabetically except that the names of the persons whose names are to be presented to such conventions as candidates shall be first listed under each office.

Any candidate, person, firm, association, committee, organization, or corporation which shall expend any money or incur any liability without reporting it as above provided or who subsequent to the filing of said last report, either of primary election or political convention expenses, shall expend for any purpose aforesaid more than the amount or amounts set forth in such final pre-election reports, shall be punished by fine not exceeding one thousand dollars or by imprisonment not exceeding eleven months.'

Sect. 3. Section four of chapter ten of the revised statutes is hereby repealed.