

MAINE STATE LEGISLATURE

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S. P. 76

In Senate, January 15, 1941.

Referred to Committee on Judiciary. Sent down for concurrence and 1000 copies ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Friend of Somerset.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-ONE

**AN ACT Creating a Bureau of the Treasury and Assigning Certain Duties
There to.**

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

Sec. 1. Bureau of treasury created. Section 1 of Article II of chapter 216 of the public laws of 1931 is hereby amended to read as follows:

'Sec. 1. Organization of department. The department of finance shall be organized into ~~three~~ 4 bureaus as follows:

1. Bureau of accounts and control, the head of which shall be the state controller;
2. Bureau of purchases, the head of which shall be the state purchasing agent;
3. Bureau of taxation, the head of which shall be the state tax assessor;
4. **Bureau of the treasury, the head of which shall be the treasurer of state.**

In connection with the department of finance, the governor, with the advice and consent of the council, shall appoint a state budget officer, who may be the commissioner of finance.'

Sec. 2. Rights, powers and duties of bureau of treasury. Article II of

chapter 216 of the public laws of 1931 is hereby amended by adding thereto the following sections:

'Sec. 31. General rights and powers of the bureau of treasury. The department of finance through the bureau of the treasury shall have authority to exercise all of the rights and powers given to the treasurer of state by law, and all of the rights and powers formerly exercised by the treasurer of state as a constitutional officer, are hereby so transferred.'

'Sec. 32. General duties of the bureau of treasury. The department of finance through the bureau of the treasury shall perform all of the duties, and be subject to all of the obligations imposed by law upon the treasurer of state, and all such duties and obligations are hereby so transferred.'

'Sec. 33. Treasurer to devote full time; bond. The treasurer of state shall devote his full time to the duties of his office. Before entering upon his duties the treasurer of state shall give bond to the state of Maine, executed by such 2 or more surety companies authorized to do business within the state as may be approved by the governor, in the sum of not less than \$150,000. Provided that each surety company shall give bond for only a fractional part of the total sum and shall be held responsible for its proportional share of any loss. The condition of the bond shall be for the faithful, honest and diligent discharge of all the duties of his office and the fidelity, honesty and diligence of all persons by him entrusted with its concerns; and that he shall render a just and true account of all of his doings and transactions in the office and all of his agents' and servants' doings and transactions to the legislature, or to such committee as it appoints, on the 1st day of each regular session of the legislature, and at any other time, when required by the legislature, or the governor; and that he will settle and adjust said account, and faithfully deliver to his successor in office, all moneys, books, property, and appurtenances of said office, in his, or any of his agents' possession, and pay over all balances found due on such adjustment. Such bond, when so approved, shall be filed in the department of audit.'

Sec. 3. R. S., c. 2, §§ 70 and 71, repealed. Sections 70 and 71 of chapter 2 of the revised statutes are hereby repealed.

Sec. 4. P. L., 1931, c. 216, Art. I, § 5, amended. Section 5 of Article I of chapter 216 of the public laws of 1931 is hereby amended to read as follows:

'Sec. 5. Bonds. Except as otherwise provided in this chapter, each department head or any subordinate officer under same, who may be re-

quired to handle moneys, shall give bond executed by a surety company authorized to do business within the state in such sum as shall be fixed by the governor ~~and council~~, and as shall be deemed to be adequate by the state auditor to safeguard the state's funds. Such bonds shall be filed in the department of audit.'

Sec. 5. Deputy treasurer's office abolished. Section 14 of chapter 125 of the revised statutes is hereby repealed.

Sec. 6. Effective date. This act shall not become effective until and unless the resolve proposing amendments to the constitution repealing the constitutional provisions relating to the office of treasurer of state and ratifying and approving this act shall have been approved by the people as provided in the constitution and said resolve. This act shall become effective immediately it shall appear that a majority of the inhabitants voting on the question are in favor of the amendments and the governor has made known that fact by his proclamation.