

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 57**

H. P. 92

House of Representatives, January 21, 1943.

Referred to Committee on Judiciary, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Payson of Portland

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-THREE

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**AN ACT Relating to Bonds to be Furnished by State Officials and  
Employees.**

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

**Bonds required of state officials and employees.** The state auditor and commissioner of finance shall, as of March 31 of each year, prepare a list of all state officials and employees who handle, have the custody of, or are in any way responsible for the collection, receipt, disbursement, safekeeping or transfer of either money, negotiable instruments or securities, or other property, either real or personal, belonging to the state, or in which the state has a pecuniary interest, or for which the state is legally liable, or which is held by the state in any capacity whether the state is liable therefor or not. They shall appraise the probable cost of the premiums upon bonds necessary to give reasonable protection on the basis of the estimated exposure. They shall designate those state officials and employees who, in their opinion, should be bonded and the amount of the bond which should be required from each such official and employee. They shall further from time to time designate bonds which should be increased or decreased, and shall designate what if any additional bond should be required either from an official or employee who changes his employment within state departments, or from a newly appointed or elected official or em-

ployee. All such designations shall be submitted to the governor for his approval, and within 10 days after the granting of such approval each such designated official or employee shall give a bond as hereinafter provided, and executed by a surety company authorized to do business within the state. The state auditor and commissioner of finance shall designate which of said bonded officials and employees shall be included in schedule form bonds and which shall furnish individual form bonds. The insurance commissioner shall approve all such bonds as to their form, and as to their compliance with the statutes. All said bonds shall be filed with the state auditor. No official or employee on whom there is a proper bond already in force shall be obliged to give a new bond until the expiration of the current policy year or the specified term for which the bond was issued. Wherever a bond, given in compliance with the statute, is already in force, the requirements of this statute at the time for renewal will be deemed fulfilled if the insuring company issues a renewal certificate approved by the insurance commissioner continuing said bond in force for an additional period of 12 months.

The premiums necessarily incurred and due and payable on account of any bond required by law and given by any official or employee of any state department shall be paid out of the state treasury and the amount thereof charged to the appropriation of the particular department in which such official or employee is engaged.

The insurance commissioner shall prescribe the form of schedule bond and individual bond, and no bonds of officials or employees of the state shall be accepted until they comply with the prescribed forms. The condition of each bond shall be such as to indemnify the state of Maine against any loss of any money, negotiable instruments or securities, or other property, real or personal, belonging to the state, or in which the state has a pecuniary interest, or for which the state is legally liable, or which is held by the state in any capacity whether the state is legally liable therefor or not, which the state shall sustain, up to the amount of said bond, through larceny, theft, embezzlement, forgery, misappropriation, wrongful abstraction, wilful misapplication or other fraudulent or dishonest act or acts committed by said bonded official or employee, acting directly or in collusion with others, while said bond is in force.

All acts of the legislature dealing with bonds to be furnished by state officials and employees other than the state treasurer are hereby specifically repealed, and, without limitation upon the foregoing, the following enact-

ments, in so far as they are inconsistent with the provisions of this act, are specifically repealed.

**OFFICIALS AND EMPLOYEES OF THE STATE OF MAINE  
PREVIOUSLY BONDED AS PROVIDED BY STATUTE**

<b>Title</b>	<b>Chapter</b>	<b>Section</b>
Adjutant General	18	15
Assistant Librarian	4	2
Librarian	4	2
Bank Commissioner	57	1
Chiropractic Board—Sec. & Treas.	21	72
Commissioner of Agriculture	39	1
Agents of Indian Tribes	17	4
Fish & Game Wardens	38	12
Forest Commissioner	11	1
Insane Hospitals—Treasurer	155	12
Insane Hospitals—Steward	155	13
Insurance Commissioner	60	83
Osteopaths—Sec. & Treas.	21	61
Public Officials	125	56
Sea & Shore Fish Wardens	50	5
Secretary of State	2	61
State Auditor	2	97
Commissioner of Education	19	161
State Police Chief	29	126
State Police—All Others	29	126
State School for Boys—Supt.	154	11
Supt. of Public Buildings	2	29

For the purposes of this act the officers of the Chiropractic board and of the Osteopathic board and the treasurers of examining boards shall be classified as state officials.'