

MAINE STATE LEGISLATURE

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NEW DRAFT OF H. P. 92, L. D. 57.

N I N E T Y - F I R S T L E G I S L A T U R E

Legislative Document

No. 832

H. P. 1304

House of Representatives, March 24, 1943.

Reported by Miss Bangs from Committee on Judiciary and laid on the table to be printed under joint rules.

HARVEY R. PEASE, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-THREE

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

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, except the state treasurer, his chief deputy 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. From said list 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

employee. 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 executed by a surety company authorized to do business within the state. The state auditor and commissioner of finance shall select the type of bond, in form prescribed by the insurance commissioner, which shall be given. All said bonds shall be filed with the state auditor for safekeeping. All bonds written before the effective date of this act, in compliance with existing statutes, shall continue in force until their normal expiration dates as though the statutes hereinafter repealed had remained in full effect; no official or employee who has furnished a bond before the effective date of this act, while the bond is in force, shall be obliged to give a new bond until the normal expiration date of the existing bond.

Sec. 2. Premiums. The premiums necessarily incurred and due and payable on account of any bond required 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.

Sec. 3. Form of bonds. The insurance commissioner shall from time to time prescribe the forms of bonds, and no bonds given by officials or employees of the state shall be accepted until they comply with the prescribed forms. The insurance commissioner shall prescribe a form of rider, or change notice, to provide for increases and decreases of said bonds, and he is expressly authorized to execute and accept for the state said riders, or change notices, specifying the effective date of such increase or decrease in the bond amounts. The insurance commissioner is expressly authorized to accept a cancellation notice from the surety on any bond, cancelling said bond in full or as to any individual, provided the surety gives written notice to said insurance commissioner of such desire and intent, and that said cancellation notice is received by the insurance commissioner at least 30 days before the effective date of such cancellation. The condition of each bond, given by each such official or employee, shall be to faithfully discharge the duties of the office or employment of the principal. The principal and the surety shall not be liable to the state for any default or failure to faithfully discharge the duties of the office or employment by any other principal, or by any person not required to give bond.

Sec. 4. Repealing clause. 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 fore-

going, the following enactments, 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**

Title	Chapter	Section
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.'