

MAINE STATE LEGISLATURE

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

Legislative Document

No. 1363

S. P. 491

In Senate, March 17, 1953.

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

CHESTER T. WINSLOW, Secretary.

Presented by Senator Chapman, Jr. of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-THREE

AN ACT Relating to Corrupt Practices in Elections.

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

Sec. 1. R. S., c. 4, § 34, repealed and replaced. Section 34 of chapter 4 of the revised statutes, as amended, is hereby repealed and the following enacted in place thereof :

‘Sec. 34. Return of expenditures. Each candidate nominated in any primary election shall, with his acceptance, send to the secretary of state an itemized, sworn statement setting forth in detail all the moneys contributed, expended or promised by him to aid and promote his nomination, and all existing unfilled promises, or liabilities remaining uncanceled and in force at the time such statement is made, whether such expenditures, promises and liabilities were made or incurred before, during or after such primary election. If no money or other valuable thing was given, paid, expended, contributed or promised, and no unfilled liabilities were incurred by a candidate to aid or promote his nomination, other than said actual personal expenses, he shall file a statement to that effect with his acceptance.

If any statement in such return is wilfully false, it shall be deemed to be perjury and shall be punished accordingly.

Political agents of candidates shall, within 15 days after the date of the primary election, make to the secretary of state the return required by this section for candidates, 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 punished by a fine of \$25 for each day 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 1 year and then be destroyed. The failure of any candidate to file a return within the time required by the preceding section shall render his nomination void. Each candidate nominated in any political convention shall, within 15 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 shall render his nomination void.'

Sec. 2. R. S., c. 4, § 37, amended. The 1st sentence of section 37 of chapter 4 of the revised statutes is hereby amended to read as follows:

'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, transporting 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 **and the source of any contribution** with the name of the candidate, his address, the election district and the office in question.'

Sec. 3. R. S., c. 4, § 42-A, additional. Chapter 4 of the revised statutes is hereby amended by adding thereto a new section to be numbered 42-A, to read as follows:

'**Sec. 42-A. Permission from candidate.** Any person, firm, association, committee, organization or corporation which makes expenditures or causes them to be made or incurs liabilities or causes them to be incurred by and on behalf of any candidate seeking nomination to elective office shall, prior to making such expenditures or incurring such liabilities, receive written

permission to do so from such candidate. Whoever violates the provisions of this section shall be punished by a fine of not more than \$100, or by imprisonment for not more than 90 days, or by both such fine and imprisonment.'

Sec. 4. R. S., c. 8, § 10, additional. Chapter 8 of the revised statutes is hereby amended by adding thereto a new section to be numbered 10, to read as follows:

'Sec. 10. Inspector. The secretary of state shall appoint an inspector who shall make investigations and inquiries, before, during and after elections and primary elections to ascertain that the provisions of chapters 4 and 5, and this chapter, are followed, with particular reference to the conduct of such elections and primary elections and the expense accounts of candidates.'