

MAINE STATE LEGISLATURE

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CHAPTER 35

CAMPAIGN REPORTS AND FINANCES

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§ 1391. Applicability and construction of provisions

This chapter applies to candidates for all state and county offices, to campaigns for their nomination or election, and to campaigns for the promotion or defeat of a party, principle, initiative or referendum question. Reference to the promotion or defeat of a candidate includes the promotion or defeat of a party, principle, initiative or referendum question.

1961, c. 360, § 1.

§ 1392. Treasurer required for each political committee

Each political committee must appoint a treasurer before accepting or spending any money.

1961, c. 360, § 1.

§ 1393. Registration of treasurer

A candidate or political committee shall advise the Secretary of State the name and address of its treasurer within 7 days after his appointment, the candidate or committee by which he was appointed, and his term of office.

1961, c. 360, § 1.

§ 1394. Collection of money

Only a treasurer or a candidate may accept money to promote or defeat a candidate.

1. Limitation. This does not prohibit the receipt of contributions by a solicitor to be transferred to a treasurer, or the acceptance of money by a person who furnishes goods or services.

1961, c. 360, § 1.

§ 1395. Disbursement of money

Only a treasurer or a candidate may spend money to promote or defeat a candidate.

1. Limitation. This does not prohibit contributions to a candidate, political committee or party by a person other than a treasurer or candidate, or the spending of his own money by any person.

2. Certain spending prohibited. The spending of money for alcoholic beverages is prohibited.

1961, c. 360, § 1.

§ 1396. Records

Each treasurer and each candidate shall keep detailed records of all money received or spent and liability incurred by him in the campaign including the name and address of each donor, the amount given, the name and address of each payee or creditor, the amount spent or liability incurred and the purpose.

1961, c. 360, § 1.

§ 1397. Reports

Campaign reports must be filed with the Secretary of State by each candidate and by the treasurer of each candidate or political committee.

1. Exception. The treasurer of a municipal committee shall not file campaign reports with the Secretary of State, but the amounts of money received and spent, and the liabilities incurred by his committee shall be filed with the treasurer of the county committee, who shall forward such reports with the county committee report to the Secretary of State.

1961, c. 408, § 11-A.

2. When filed. A preliminary report must be filed with the Secretary of State not less than 10 nor more than 15 days before a general election. A final report must be filed with the Secretary

of State within 30 days after any election showing the totals of the entire campaign.

1963, c. 78, § 21.

3. Content. The report must contain the itemized amounts of money received to date and the name and address of each donor. It must contain the itemized amounts of money spent and liability incurred to date, the purpose of each, and the name of each payee and creditor.

A. Exceptions. The name and address of a donor of less than \$50 need not be included. Total contributions or total expenditures of less than \$100 need not be itemized.

1961, c. 360, § 1; c. 408, § 11-A; 1963, c. 78, § 21.

§ 1398. Failure to file report on time

A person who fails to file a campaign report within the time required by this Title shall be assessed not more than \$5 for each day he is in default by the Campaign Reports Committee, unless he is excused by the committee.

1. Disqualified. If the assessment is not paid at the order of the committee, the person becomes disqualified and his name shall not be printed on an official ballot used at any election held during the same calendar year.

2. Appeal. A person aggrieved by an order of the committee may appeal to the Superior Court within 5 days after being notified of the decision, by presenting a written complaint. The court shall fix a time and place for immediate hearing. It shall order notice of the hearing to be given to the committee. Within 7 days after the hearing, the court shall affirm, modify or reverse the decision of the committee, and its decision is final. (1961, c. 417, § 5.)

1961, c. 360, § 1; c. 417, § 5.

§ 1399. Campaign Reports Committee

A Campaign Reports Committee, as heretofore created, shall be composed of 2 members from the Senate and 3 members from the House of Representatives. Before the adjournment of the regular session of the Legislature, the President of the Senate shall appoint the senate members, one of whom must be a member of the minority party; and the Speaker of the House shall appoint the house members, one of whom must be a member of the

minority party. The committee shall serve until a new committee is appointed in its stead.

1. Compensation. The members of the committee shall be paid \$10 per day for each day actually and necessarily employed in the performance of their duties, and necessary expenses, including travel at the same rate as that paid to members of the Legislature.

1961, c. 360, § 1.

§ 1400. —Meetings

The Campaign Reports Committee shall meet and review the campaign reports as follows:

1. Regular election. It shall meet in Augusta 7 days before a general election to review the preliminary campaign reports. It shall meet again in Augusta to review the final campaign reports for the regular primary or general election within 7 days after the filing date provided by section 1397, subsection 2.

1961, c. 408, § 12; 1963, c. 78, § 22.

2. Special election. It shall meet before or after a special election as necessary.

1961, c. 360, § 1; c. 408, § 12; 1963, c. 78, § 22.

§ 1401. —Investigations by

The Campaign Reports Committee may investigate for the purpose of determining the facts concerning money received or spent, or liability incurred, by any treasurer, candidate or political committee. For this purpose, the committee may subpoena witnesses and records and take evidence under oath. A person who fails to obey the lawful subpoena of the committee or to testify before it under oath shall be punished by the Superior Court for contempt on application by the committee.

1. Investigation requested. Any person may make written application to the committee requesting an investigation, and stating his reasons for it. The committee shall review the application and shall make the investigation if the reasons stated, taken as true, show sufficient grounds for it.

2. Attorney General counsel. The Attorney General is counsel for the committee. He shall examine the witnesses before the committee.

3. Violations punished. The Attorney General shall prosecute any person who fails to account for any money received or spent, or liability incurred, as required by this Title.

1961, c. 360, § 1.