

Chapter 630. AN ACT PROVIDING FOR AN ASSISTANT REGISTRAR OF VOTERS AT HIGH SCHOOLS AND VOCATIONAL SCHOOLS.

Be it enacted, etc., as follows:

Chapter 51 of the General Laws is hereby amended by inserting after section 42D the following section:-

Section 42E. The principal or headmaster of every public or private high school or vocational school shall submit to the board of registrars of voters of the city or town the names of at least three school employees who are registered voters in the city or town in which the school is located, to serve as assistant registrars of voters for the purpose of this section. The board of registrars shall appoint at least one of the designated employees as an assistant registrar, shall provide necessary training, forms, and other assistance, and shall establish procedures to be followed by the assistant registrar. The assistant registrar shall be available at the school for the purpose of permitting eligible students and employees of the school to register as voters in the city or town. The principal or headmaster shall publicize the opportunity to register within the school. At a regional high school or vocational school, at least one assistant registrar shall be appointed for each city or town where students who usually attend the school reside.

Approved December 23, 1986.

Chapter 631. AN ACT FURTHER REGULATING POLITICAL CAMPAIGN FINANCING.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 52 of the General Laws, as appearing in the 1984 Official Edition, is hereby amended by adding the following sentence:- The secretary of such committee shall file with the director of the office of campaign and political finance a list of the officers of the committee, together with the addresses of such officers, within ten days after organization of such committee, or within ten days, of any change in the list of officers of such committee.

SECTION 2. Section 3 of chapter 55 of the General Laws, as so appearing, is hereby amended by inserting after the seventh paragraph the following paragraph:-

The director shall inspect all statements and reports of candidates, or nonelected political committees supporting such candidates, filed with him, within thirty days of the reporting dates required by this chapter, and all other statements and reports within sixty days of the reporting dates required by this chapter. If upon examination of the records it appears that any candidate or political committee has failed to file a statement or report as required by law, or if it appears to the director that any such statement or report filed with him does not conform to law, or upon written complaint by five registered voters that a statement or report does not conform to law, or that any candidate or political committee has failed to file a statement or report required by

law, the director shall, in writing, notify the delinquent person. Such complaint shall state in detail the grounds of objection, shall be sworn to by one of the subscribers, and shall be filed with the director within ten days after the required date for filing a statement or report, or within ten days after the actual filing of a statement or report, or an amended statement or report. Upon failure to file a statement or report within ten days after receiving notice under this section or if any statement filed after receiving such notice discloses any violation of any provisions of this chapter, the director shall notify the attorney general thereof and shall furnish him with copies of all papers relating thereto, and the attorney general, within two months thereafter, shall examine every such case, and if satisfied that there is cause, he shall in the name of the commonwealth institute appropriate civil proceedings or refer the case to the proper district attorney for such action as may be appropriate in the criminal courts.

SECTION 3. Section four of said chapter fifty-five is hereby repealed.

SECTION 4. Section 5 of said chapter 55 of the General Laws, as appearing in the 1984 Official Edition, is hereby further amended by striking out the seventh paragraph and inserting in place thereof the following two paragraphs:–

Each treasurer of a political committee shall keep and preserve detailed accounts, vouchers and receipts as prescribed for a candidate by the provisions of section two. Each treasurer of a political committee shall keep said records for a period of six years following the date of the relevant election. A candidate may not be the treasurer of the political committee which has been organized on his behalf.

The secretary of each ward, city and town committee shall file with the director a list of the officers of the committee, together with the addresses of such officers, within ten days after its organization under the provisions of chapter fifty-two, and within ten days of any change of said officers.

SECTION 5. Said chapter 55 is hereby further amended by striking out section 8, as so appearing, and inserting in place thereof the following:–

Section 8. No corporation carrying on the business of a bank, trust, surety indemnity, safe deposit, insurance, railroad, street railway, telegraph, telephone, gas, electric light, heat, power, canal, aqueduct, or water company, no company having the right to take land by eminent domain or to exercise franchises in public ways, granted by the commonwealth or by any county, city or town, no trustee or trustees owning or holding the majority of the stock of such a corporation, no business corporation incorporated under the laws of or doing business in the commonwealth and no officer or agent acting in behalf of any corporation mentioned in this section, shall directly or indirectly give, pay, expend or contribute, or promise to give, pay, expend or contribute, any money or other valuable thing for the purpose of aiding, promoting or preventing the nomination or election of any person to public office, or aiding or promoting or antagonizing the interest of any political party.

No person or persons, no political committee, and no person acting under the authority of a political committee, or in its behalf, other than a political committee organized on behalf of a ballot question campaign

shall solicit or receive from such corporation or such holders of stock any gift, payment, expenditure, contribution or promise to give, pay, expend or contribute for any such purpose.

Any corporation violating any provision of this section shall be punished by a fine of not more than fifty thousand dollars and any officer, director or agent of the corporation violating any provision thereof or authorizing such violation of any provision thereof, or any person who violates or in any way knowingly aids or abets the violation thereof, shall be punished by a fine of not more than ten thousand dollars or by imprisonment for not more than one year, or both.

SECTION 6. Section 9 of said chapter 55, as so appearing, is hereby amended by inserting after the first paragraph the following paragraph:–

A political committee may maintain and use a credit card, obtained in accordance with applicable banking laws and in the ordinary course of business, in order to make expenditures for the purpose for which said committee was organized, pursuant to the provisions of section six, but provided that no contribution of money may be accepted by any individual, candidate or political committee, or person acting on behalf of said individual, candidate or political committee, other than in accordance with the first paragraph of this section. The director shall establish reasonable rules and regulations concerning the use of such credit cards, and shall print and publish forms to provide for disclosure of said expenditures by credit card, to effectuate the purposes of this chapter.

SECTION 7. Said chapter 55 is hereby further amended by inserting after section 16 the following section:–

Section 16A. No person doing business with the commonwealth shall, for that reason, be under obligation to contribute to any political fund, or to render any political service, and shall not be otherwise prejudiced for refusing to do so.

Violations of any provisions of this section shall be punished by a fine of not less than one hundred nor more than one thousand dollars.

SECTION 8. Clause (f) of section 18 of said chapter 55, as so appearing, is hereby amended by inserting after the word "election", in line 76, the words:– complete as of the preceding fifth day.

SECTION 9. Clause (g) of said section 18 of said chapter 55, as so appearing, is hereby amended by inserting after the word "election", in line 95, the words:– complete as of the preceding fifth day.

SECTION 10. Clause (h) of said section 18 of said chapter 55, as so appearing, is hereby amended by inserting after the word "transfer", in line 226, the following:–

; (5a) the name and address of the principal officers of any trust, foundation, and association from which was received a contribution, as provided in section ten.

SECTION 11. Said chapter 55 is hereby further amended by inserting after section 18 the following section:–

Section 18A. Every individual, group or association not defined as a

political committee, who makes an independent expenditure or expenditures in an aggregate amount exceeding one hundred dollars during any calendar year for the purpose of promoting the election or defeat of any candidate or candidates shall file with the director, or with the city or town clerk if such candidate or candidates seek public office at a city or town election, within seven business days after making such independent expenditure or expenditures, on a form prescribed by the director, a report stating the name and address of the individual, group or association making the expenditure or expenditures; the name of the candidate or candidates whose election or defeat the expenditure promoted; the name and address of the person or persons to whom the expenditure or expenditures were made; and the total amount or value; the purpose and the date of the expenditure or expenditures.

For the purposes of this section the term "independent expenditure" shall mean an expenditure by an individual, group, or association not defined as a political committee expressly advocating the election or defeat of a clearly identified candidate which is made without cooperation or consultation with any candidate, or a nonelected political committee organized on behalf of a candidate, or any agent of a candidate and which is not made in concert with, or at the request or suggestion of, any candidate, or any nonelected political committee organized on behalf of a candidate or agent of such candidate.

SECTION 12. Section 19 of said chapter 55, as so appearing, is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:-

(a) Candidates for nomination or election to the offices of governor, lieutenant governor, secretary of state, attorney general, state treasurer and receiver general, auditor, governor's council, district attorney, clerk of court, register of probate and insolvency, register of deeds, county commissioner, county treasurer, and sheriff, and the treasurer of each state committee referred to in section one of chapter fifty-two, and the treasurer of the nonelected political committee authorized by any of the aforesaid candidates shall forthwith, upon the organization of said political committee, or upon becoming a candidate in accordance with the provisions of clauses (1) and (2) of the definition of candidate in section one, designate as a depository for campaign funds of such candidate or political committee a national bank authorized to transact business in the commonwealth or a trust company organized and existing under the laws of the commonwealth. Each such candidate, and the treasurer of each such political committee shall file with the director, no later than the third business day following the designation of such depository, a certificate of appointment containing the name of the bank or trust company so designated, and the name of the candidate or political committee, and shall authorize the bank or trust company so designated to submit the reports required by subsection (e).

SECTION 13. Subsection (b) of said section 19 of said chapter 55, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Every candidate and the treasurer of every committee required to designate a depository shall, by the end of the seventh day after receipt of any contribution deposit it in the form received in the designated depository.

SECTION 14. Said section 19 of said chapter 55, as so appearing, is hereby further amended by striking out subsection (d) and inserting in place thereof the following subsection:-

(d) No candidate or committee treasurer required to designate a depository for campaign funds shall authorize the incurring of any expenditure in behalf of the candidate or a committee unless there are monies on deposit in the depository designated in accordance with the provisions of this section to the credit of the campaign account of such candidate or committee sufficient to pay the amount of expenditures so authorized, together with all unpaid obligations outstanding, or unless such candidate or treasurer files with the director on the dates indicated in subsection (e) a complete statement of all unpaid obligations then outstanding, the terms of payment, purpose of the expenditure by which the obligation was created and name and address of the person holding the obligation.

SECTION 15. Said chapter 55 is hereby further amended by striking out section 22, as so appearing, and inserting in place thereof the following section:-

Section 22. The treasurer of any corporation, which has given, paid, expended or contributed, or promised to give, pay, expend or contribute, any money or any valuable thing in order to influence or affect the vote on any question submitted to the voters shall file reports with the director, and copies of said reports with the city or town if made to influence the vote on any question submitted to the voters at a city or town election, setting forth the amount or value of every gift, payment, expenditure or contribution or promise to give, pay, expend or contribute, together with the date, purpose, and full name and address of the person to whom it was made.

Such report shall be filed as follows: (1) the sixtieth day prior to the election complete as of the preceding fifth day; on or before (2) the fifth day and twentieth day of each month complete as of the preceding first and fifteenth day of the month, until the election, and thereafter; (3) the fifth day of each month until all declared liabilities have been discharged.

Any corporation violating any provision of this section shall be punished by a fine of not more than fifty thousand dollars and any officer, director or agent of the corporation violating any provision thereof or authorizing such violation, or any person who violates or in any way knowingly aids or abets the violation of any provision thereof, shall be punished by a fine of not more than ten thousand dollars or by imprisonment for not more than one year, or both.

SECTION 16. Said chapter 55 is hereby further amended by striking out section 25, as so appearing, and inserting in place thereof the following section:-

Section 25. The director shall retain all statements and reports filed with his office under the provisions of this chapter by candidates and their committees until December thirty-first of the sixth year following the relevant election, provided that the ending balance on such candidates most recent statements, shows no residual funds and no remaining deficit. In the case of a candidate or authorized campaign committee which reports an ending balance of other than zero, the director shall retain all statements and reports and shall require addi-

tional annual reports to be filed henceforth on the tenth day of January until such time that the candidate or authorized campaign committee reports an ending balance of zero.

In the case of all other political committees, the director shall retain all required statements and reports until December thirty-first of the sixth year following the relevant election.

The director shall make all statements and reports required to be filed with him by this chapter available for convenient public inspection and reproduction by a copying machine at a commercially reasonable fee as soon as such statements and reports are filed with him.

SECTION 17. Said chapter 55 is hereby further amended by striking out section 28, as so appearing, and inserting in place thereof the following section:–

Section 28. The clerk of cities and towns shall inspect all statements and reports of candidates, or nonelected political committees supporting such candidates, filed with them, within thirty days of the reporting dates required by this chapter, and all other statements and reports within sixty days of the reporting dates required by this chapter. If upon examination of the records it appears that any candidate or political committee has failed to file a statement or report as required by law, or if it appears to the clerk that any such statement or report filed with him does not conform to law, or upon written complaint by five registered voters that a statement or report does not conform to law, or that any candidate or political committee has failed to file a statement or report required by law, the city or town clerk, as the case may be, shall, in writing, notify the delinquent person. Such complaint shall state in detail the grounds of objection, shall be sworn to by one of the subscribers, and shall be filed with the proper city or town clerk within ten days after the required date for filing a statement or report within ten days after the actual filing of a statement or report, or an amended statement or report.

SECTION 18. Said chapter 55 is hereby further amended by striking out section 29, as so appearing, and inserting in place thereof the following section:–

Section 29. Upon failure to file a statement or report within ten days after receiving notice under section twenty-eight, or if any statement filed after receiving such notice discloses any violation of any provision of this chapter, the city or town clerk, as the case may be, shall notify the attorney general thereof and shall furnish him with copies of all papers relating thereto, and the attorney general, within two months thereafter, shall examine every such case, and, if satisfied that there is a cause, he shall in the name of the commonwealth institute appropriate civil proceedings or refer the case to the proper district attorney for such action as may be appropriate in the criminal courts.

Approved December 23, 1986.

Chapter 632. AN ACT RELATIVE TO THE REPLACEMENT OF LIFE INSURANCE.