

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 855

H.P. 606

House of Representatives, February 16, 2005

### **An Act To Limit In-kind Contributions to Maine Clean Election Act Candidates**

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Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative BOWEN of Rockport.  
Cosponsored by Senator SAVAGE of Knox and Representatives: BOWLES of Sanford,  
BROWN of South Berwick, HOTHAM of Dixfield, RECTOR of Thomaston, RICHARDSON  
of Warren, TARDY of Newport.

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

4 **Sec. 1. 21-A MRSA §1125, sub-§2-A is enacted to read:**

6 2-A. Restrictions on below-market discounts. If campaign  
8 materials purchased by a participating candidate to support the  
10 election of that candidate are purchased at a cost of less than  
12 75% of the expected market cost for those materials, the  
14 difference between the cost and the expected market cost of those  
16 materials is considered a contribution for the purposes of  
18 subsection 2. As used in this subsection, "expected market cost"  
20 means the median cost of campaign materials as determined by the  
22 commission index of prices. The commission shall create an  
24 annually updated index of prices for the per unit cost of  
26 campaign materials based on campaign finance reports submitted to  
28 the commission. The commission shall publish this index in one  
30 or more of the publications it provides to candidates.

## 20 SUMMARY

22 Current law prohibits candidates participating in the Maine  
24 Clean Election Act from receiving contributions as a term of  
26 participation. This bill considers discounts on campaign  
28 materials to be contributions if the cost of the materials is  
30 less than 75% of the expected market cost. Under this bill,  
expected market cost would be determined by the Commission on  
Governmental Ethics and Election Practices using an annually  
updated index of prices based on data from campaign finance  
reports.