

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 874

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H.P. 648

House of Representatives, February 19, 2019

### **An Act To Conform the Clean Election Financing Laws to the Judicially Determined Procedures**

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative ACKLEY of Monmouth.  
Cosponsored by Representatives: BICKFORD of Auburn, DAUGHTRY of Brunswick,  
HIGGINS of Dover-Foxcroft.

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

2 **Sec. 1. 21-A MRSA §1125, sub-§13-B** is enacted to read:

3 **13-B. Financial order not required for distributions from fund in excess of**  
4 **current year allocations.** Notwithstanding Title 5, sections 1667 and 1667-B and any  
5 other provision of law to the contrary, the commission may, without obtaining a financial  
6 order approved by the Governor, expend revenues from the fund in excess of the current  
7 year allocations solely for the purpose of making distributions to certified candidates  
8 required by this section. For the purposes of this subsection, "revenues from the fund"  
9 includes all revenues received pursuant to section 1124, subsection 2, interest credited to  
10 the fund under section 1124, subsection 1 and any unused fund revenues and interest  
11 carried over from previous years under section 1124, subsection 1. The executive  
12 director of the commission shall notify the Department of Administrative and Financial  
13 Services, Bureau of the Budget and the Office of Fiscal and Program Review in writing  
14 whenever the commission makes distributions in excess of current year allocations under  
15 this subsection.

16 **SUMMARY**

17 This bill codifies the decision of the Superior Court in Maine Citizens for Clean  
18 Elections v. LePage, No. CV-18-112, 2018 (Me. Super. Ct., Ken. Cty., August 2, 2018).  
19 The bill authorizes the Commission on Governmental Ethics and Election Practices to  
20 expend existing revenues from the Maine Clean Election Fund in excess of the current  
21 year allocations without first obtaining a financial order approved by the Governor, solely  
22 for the purpose of making distributions required by the Maine Clean Election Act to  
23 certified candidates.