

MAINE STATE LEGISLATURE

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July 24, 1974

Peter M. Damborg, Deputy

State

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Attorney General

Campaign Reports, 1974 Primary Election

P.L. 1973, c. 756, amended 21 M.R.S.A. §§ 1391, 1395 and 1397 effective June 28, 1974.

You asked whether, in view of the effective date of the Act and its transitional provisions of section 10 of which provides that it shall be operative as of July 1, 1974, the time period between June 12 (date of the primary election) and July 1, 1974 shall be reported separately under prior law and this not be included in the total limitations under the new law. We answer in the affirmative.

Candidates in the 1974 primary are required to file reports of their expenses in accordance with 21 M.R.S.A. § 1395, sub-§4, in view of the following provision of chapter 756, § 10:

"It is the Legislature's intention, notwithstanding the repeal of Title 21, section 1395, subsection 4, which relates to expenditures in primary campaigns, that candidates in the 1974 primaries shall be required to comply with the reference section and file their report on the same basis as if the repealer did not occur."

Section 10 further provides that "expenditures made after July 1, 1974, will be presumed to be made for the purpose of the general election."

These transitional provisions fail to address the period between June 12 and July 1. We conclude the period must be reported in conformity with 21 M.R.S.A. § 1397.

LVW, Jr/mf

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