

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

SECOND REGULAR SESSION

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1971

H. P. 1910

Office of the Clerk of the House

The Committee on Election Laws suggested. Approved for introduction by the Legislative Council pursuant to Joint Rule 24.

EDWIN H. PERT, Clerk

Presented by Mrs. Boudreau of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-EIGHT

AN ACT to Clarify Reporting Requirements under that Campaign Finance Law and to Correct Other Oversights in that Law.

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

Sec. 1. 21 MRSA § 1397, sub-§ 1, 1st sentence, as last repealed and replaced by PL 1977, c. 575, § 13, is amended to read:

When a state, district, county or municipal committee of a party makes contributions or expenditures expressly advocating the election or defeat of a candidate or candidates, other than by contribution to a candidate or a candidate's authorized political committee, in an aggregate amount in excess of \$50 ~~with respect to one candidate~~ in an election, such committee shall file a report with the commission.

Sec. 2. 21 MRSA § 1397, sub-§ 3, ¶ F, as enacted by PL 1977, c. 575, § 13, is repealed and the following enacted in its place:

F. Unless further reports shall be filed in relation to a later election in the same calendar year, the disposition of any surplus or deficit in excess of \$50 shown in the reports described in paragraph E shall be reported to the commission on the first day of each quarter of this State's fiscal year, until the surplus shall have been disposed of or the deficit shall have been liquidated. The reports shall set forth any contributions for the purpose of liquidating the deficit, in the same manner as contributions are set forth in other reports required in this section.

Sec. 3. 21 MRSA § 1397, sub-§ 4, ¶ D, as enacted by PL 1977, c. 575, § 13, is repealed and the following enacted in its place:

D. Unless further reports shall be filed in relation to a later election in the same calendar year, the disposition of any surplus or deficit in excess of \$50 shown in the reports described in paragraph C shall be reported to the commission on the first day of each quarter of this State's fiscal year, until the surplus should have been disposed of or the deficit shall have been liquidated. The reports shall set forth any contributions for the purpose of liquidating the deficit, in the same manner as contributions are set forth in other reports required in this section.

Sec. 4. 21 MRSA § 1412, sub-§ 2, as enacted by PL 1977, c. 575, § 17, is amended to read:

2. Commission. "Commission" means the Commission on Governmental Ethics and Campaign Election Practices established pursuant to Title 1, section 1002.

Sec. 5. 21 MRSA § 1413, sub-§ 2, ¶ B, as enacted by PL 1977, c. 575, § 17, is amended by adding at the end the following new sentence to read:

This requirement shall apply to each campaign defined in section 1412.

Sec. 6. 21 MRSA § 1413, sub-§ 2, ¶ C, as enacted by PL 1977, c. 575, § 17, is amended by adding at the end the following new sentence to read:

This requirement shall apply to each campaign defined in section 1412.

Sec. 7. 21 MRSA § 1413, sub-§ 2, ¶ D, as enacted by PL 1977, c. 575, § 17, is amended by adding at the end the following new sentence to read:

This requirement shall apply to each campaign defined in section 1412.

Sec. 8. 21 MRSA § 1413, sub-§ 2, ¶ E, as enacted by PL 1977, c. 575, § 17, is amended by adding at the end the following new sentence to read:

This requirement shall apply to each campaign defined in section 1412.

Sec. 9. 21 MRSA § 1413, sub-§ 2, ¶ F, as enacted by PL 1977, c. 575, § 17, is repealed and the following enacted in its place:

F. The disposition of any surplus or deficit in excess of \$50 shown in the reports described in paragraph E shall be reported to the commission on the first quarter of each quarter of this State's fiscal year, until the surplus shall have been disposed of or such deficit shall have been liquidated. The reports shall set forth any contributions for the purpose of liquidating the deficit, in the same manner as contributions are set forth in other reports required in this section.

Sec. 10. 21 MRSA § 1414, sub-§ 3, 2nd sentence, as enacted by PL 1977, c. 575, § 17, is amended to read:

The person shall preserve all receipted bills and accounts required to be kept by this section for 2 years following the final report required to be filed for the campaign or referendum to which they pertain, unless otherwise ordered by the commission or a court.

STATEMENT OF FACT

This bill is the result of a review by the Commission on Governmental Ethics and Election Practices of law dealing with the commission's operations.

Section 1 closes a potential loophole in reporting requirements.

Section 2 provides a threshold for continuous quarterly reporting of surpluses and deficits by gubernatorial candidates and provides a consolidated schedule for such reporting, thus simplifying administration of the law.

Section 3 establishes provisions for legislative candidates like those in section 2.

Section 4 corrects an error in the name of the Commission on Governmental Ethics and Election Practices.

Sections 5 through 8 clarify applicability of reporting requirements, eliminating possible confusion about the use of the word "referendum."

Section 9 establishes provisions for referendum campaigns like those in section 2.

Section 10 clarifies applicability of section 1414, subsection 3.