

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 811

S. P. 270

In Senate, February 28, 1979

Referred to the Committee on Election Laws. Sent down for concurrence and 2,000 ordered printed.

Presented by Senator Najarian of Cumberland.

Cosponsor: Senator McBreairty of Aroostook.

MAY M. ROSS, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT Relating to Political Fundraising by State Employees.

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

5 MRSA § 14, 3rd ¶, as enacted by PL 1975, c. 597, is amended to read:

Any officer or employee of the classified service of this State may make contributions to a political party, organization or candidate but shall not solicit any assessment, subscription or contribution from any person for any political purpose in connection with any election for federal, state or county office **during that officer's or employee's state working hours upon the property or premises of the State or by using the facilities or services of the State.**

STATEMENT OF FACT

The purpose of this bill is to clarify the right of state employees to fully participate in political activities, except as restricted by the statutes below, during their nonworking hours and off state property and without use of state facilities. The State's so-called "Little Hatch Act," Title 5, section 679-A, was revised by the 107th Legislature to permit classified employees of the State broader participation in political activities, except the use of official influence, the coercion of contributions from other state employees and candidacy in partisan public elections.

The 107th Legislature also enacted Title 21, section 1579, subsection 29, prohibiting state employees from receiving or soliciting political contributions from anyone the employees deal with in the performance of their jobs. Title 5, section 14 was also enacted to insure to state employees the right to participate in nonpartisan municipal affairs except where there exists a conflict of interest.