

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1993

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Legislative Document

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H.P. 1149

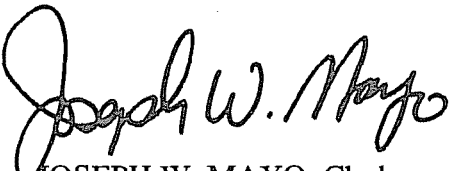
House of Representatives, June 3, 1993

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**An Act to Set Voluntary Limits for Campaign Spending.**

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Reported by Representative DAGGETT for the Joint Standing Committee on Legal Affairs pursuant to Joint Order H.P. 1135.

  
JOSEPH W. MAYO, Clerk

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

2           Sec. 1. 21-A MRSA §1011, as enacted by PL 1985, c. 161, §6,  
4 is amended to read:

6           **§1011. Application**

8           This subchapter applies to candidates for all state and  
10 county offices and to campaigns for their nomination and  
12 election. This subchapter also applies to candidates for federal  
14 offices for the purposes of section 1013-A, subsection 1,  
paragraph C; section 1015, subsections 7, 8 and 10; and section  
1017, subsection 1.

16           **Sec. 2. 21-A MRSA §1013-A, sub-§1, ¶C** is enacted to read:

18           C. No later than 10 days after appointing a political  
committee, and before accepting contributions, making  
expenditures or incurring obligations, a candidate for  
federal, state or county office shall file in writing a  
statement declaring that the candidate agrees to accept  
voluntary limits on political expenditures or that the  
candidate does not agree to voluntary limits on political  
expenditures, pursuant to section 1015, subsections 7 to 10.

26           **Sec. 3. 21-A MRSA §1015, sub-§§7 to 10** are enacted to read:

28           7. Voluntary limitations on political expenditures. A  
candidate may voluntarily agree to limit the candidate's campaign  
expenditures and those of the candidate's political committee or  
committees, the candidate's party and the candidate's immediate  
family on the candidate's behalf by filing a statement of intent  
when the candidate registers the candidate's political committee  
pursuant to section 1013-A.

36           A. A candidate who agrees to voluntarily limit political  
expenditures shall pledge in writing to do so when the  
candidate registers the candidate's political committee.  
The candidate's pledge must state that the candidate knows  
the voluntary expenditure limitations as set out in  
subsection 8 and that the candidate is voluntarily agreeing  
to limit the candidate's political expenditures and those  
made on behalf of the candidate by the candidate's political  
committee or committees, the candidate's party and the  
candidate's immediate family to the amount set by law. The  
pledge must further state that the candidate does not  
condone and will not solicit any independent expenditures  
made on behalf of the candidate.

2 B. A candidate who does not agree to voluntarily limit  
4 political expenditures shall file a statement in writing  
6 that the candidate does not accept the voluntary expenditure  
8 limits as set out in subsection 8 when the candidate  
registers the candidate's political committee. The  
statement must further state that the candidate knows the  
limitations on political contributions that the candidate  
may accept.

10 8. Political expenditure limitation amounts. Total  
12 expenditures by a candidate who voluntarily agrees to limit  
campaign expenditures as provided in subsection 7 are as follows:

14 A. For statewide elections:

16 (1) Four hundred thousand dollars in a state primary  
18 election; and

20 (2) Eight hundred thousand dollars in a state general  
election;

22 B. For Representative to Congress:

24 (1) Two hundred thousand dollars in a state primary  
26 election; and

28 (2) Four hundred thousand dollars in a state general  
election;

30 C. For State Senator:

32 (1) Ten thousand dollars in a state primary election;  
34 and

36 (2) Twenty thousand dollars in a state general  
election;

38 D. For State Representative:

40 (1) Two thousand five hundred dollars in a state  
42 primary election; and

44 (2) Five thousand dollars in a state general election;  
or

46 E. For any county office:

48 (1) Ten cents per capita in the district or the county  
50 in a state primary election; and

2                   (2) Twenty cents per capita in the district or the  
3                   county in a state general election.

4                   9. Contribution limitation for state and county candidates  
5                   who do not voluntarily limit political expenditures. A candidate  
6                   for a state or county office who does not agree to voluntary  
7                   expenditure limits may accept campaign contributions of no more  
8                   than \$100 per election from any single:

- 10                   A. Individual;
- 12                   B. Corporation;
- 14                   C. Association;
- 16                   D. Committee, excluding a candidate's authorized committee;  
17                   and
- 18                   E. Contributor of any other kind.

20                   This limitation does not apply to a candidate or a candidate's  
21                   spouse.

24                   10. Penalties for candidates who agree to voluntarily limit  
25                   campaign expenditures and exceed limits. A candidate who agrees  
26                   to voluntarily limit campaign expenditures and makes total  
27                   expenditures in excess of the limit established by subsection 8  
28                   shall pay an amount equal to 100% of total expenditures in excess  
29                   of that limit to the commission. The money collected must be set  
30                   aside in a nonlapsing account to be used by the commission for  
31                   administrative purposes.

32                   For the purposes of subsections 7 to 9 and this subsection,  
33                   "total expenditures" means the sum of all expenditures made to  
34                   influence either a state primary election or a state general  
35                   election made by a candidate and made on the candidate's behalf  
36                   by the candidate's political committee or committees, the  
37                   candidate's party and the candidate's immediate family. Each  
38                   campaign expenditure limitation amount applies solely and  
39                   independently to either the state primary election or the state  
40                   general election.

42                   Sec. 4. Appropriation. The following funds are appropriated  
43                   from the General Fund to carry out the purposes of this Act.

46	1993-94	1994-95
48	<b>GOVERNMENTAL ETHICS AND</b>	
49	<b>ELECTION PRACTICES -</b>	
50	<b>COMMISSION ON</b>	

2 **Commission on Governmental  
Ethics and Election Practices**

4	Positions	(3.0)	(3.0)
	Personal Services	\$52,318	\$80,793
6	All Other	6,800	6,900
	Capital Expenditures	67,500	

8  
10 Provides funds for a Clerk  
Typist II position, a Data  
12 Entry Specialist position, a  
Research and Planning  
14 Assistant I position, a  
reclassification, general  
16 operating expenses and  
capital equipment needs.

18 **COMMISSION ON GOVERNMENTAL  
ETHICS AND ELECTION PRACTICES**  
20 **TOTAL**

\$126,618	\$87,693
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22 **FISCAL NOTE**

<b>1993-94</b>	<b>1994-95</b>
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26 **APPROPRIATIONS/ALLOCATIONS**

General Fund	\$126,618	\$87,693
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30  
32 This bill establishes a new program dealing with voluntary  
limits on campaign spending for certain statewide and countywide  
34 elections. The Commission on Governmental Ethics and Election  
Practices will require additional General Fund appropriations of  
36 \$126,618 and \$87,693 in fiscal years 1993-94 and 1994-95,  
respectively, to provide funds for a Clerk Typist II position, a  
38 Data Entry Specialist position, a Research and Planning Assistant  
I position, a reclassification, general operating expenses and  
40 capital equipment needs to develop a computerized  
campaign-spending tracking system.

42 This bill requires candidates who participate in voluntary  
44 limits and exceed the amount set by law to pay the full amount  
that exceeds the limit to the Commission on Governmental Ethics  
46 and Election Practices. The amounts of additional dedicated  
revenues generated by this provision can not be determined at  
48 this time.

2

## STATEMENT OF FACT

4           This bill is unanimously supported by the Joint Standing  
Committee on Legal Affairs.

6

8           This bill establishes voluntary limits on campaign spending  
for statewide elections, United States House elections, State  
House of Representatives and Senate elections and countywide  
10 elections.

12           The bill requires all candidates to file with their  
registration and notification of a political committee a written  
14 statement of intent to abide by the voluntary expenditure limits  
or not to abide by the voluntary expenditure limits.

16

18           If a state or county candidate does not agree to the  
voluntary limits, that candidate may accept no more than \$100  
from each contributor or single source. If any candidate does  
20 agree to the voluntary limits and exceeds the amount set by law,  
that candidate must pay 100% of the amount that exceeds the limit  
22 to the Commission on Governmental Ethics and Election Practices.

24           This bill also provides a fiscal note.