

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST SPECIAL SESSION-1997

Legislative Document

No. 1882

S.P. 662

In Senate, May 21, 1997

**An Act Concerning Acceptance of Campaign Contributions during
Legislative Sessions.**

Reported by Senator DAGGETT of Kennebec for the Joint Standing Committee on Legal
and Veterans Affairs pursuant to Joint Order, S.P. 648.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

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

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Sec. 1. 1 MRSA §1015, sub-§3 is enacted to read:

6 3. Campaign contributions and solicitations prohibited.

8 The following provisions prohibit certain campaign contributions and solicitation of campaign contributions during a legislative session.

10 A. As used in this subsection, the terms "employer,"
12 "lobbyist" and "lobbyist associate" have the same meanings
14 as in Title 3, section 312-A and the term "contribution" has
16 the same meaning as in Title 21-A, section 1012.

18 B. A member of the Legislature or the staff or agent of a
20 member of the Legislature may not intentionally solicit or
22 accept a contribution from a lobbyist, lobbyist associate or
24 employer during any period of time in which the Legislature
26 is convened before final adjournment. A lobbyist, lobbyist
28 associate or employer may not intentionally give, offer or
30 promise a contribution to a member of the Legislature or the
32 staff or agent of a member of the Legislature during any
34 time in which the Legislature is convened before final
36 adjournment. These prohibitions apply to direct and
38 indirect solicitation, acceptance, giving, offering and
40 promising, whether through a political action committee,
42 political committee, political party or otherwise.

44 C. This subsection does not apply to:

46 (1) Solicitations or contributions for bona fide
48 social events hosted for nonpartisan, charitable
purposes;

(2) Solicitations or contributions relating to a
special election to fill a vacancy from the time of
announcement of the election until the election; and

(3) Solicitations or contributions after the deadline
for filing as a candidate as provided in Title 21-A,
section 335.

D. A person who intentionally violates this subsection is
subject to a civil penalty not to exceed \$1,000, payable to
the State and recoverable in a civil action.

FISCAL NOTE

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4 The additional costs associated with enforcing the
6 prohibition against contributions from lobbyists during the
8 legislative session can be absorbed by the Commission on
10 Governmental Ethics and Election Practices utilizing existing
12 budgeted resources.

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10 The additional workload and administrative costs associated
12 with the minimal number of new cases filed in the court system
14 can be absorbed within the budgeted resources of the Judicial
16 Department. The collection of additional fines may increase
18 General Fund revenue by minor amounts.

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SUMMARY

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20 The bill prohibits Legislators and their staff and agents
22 from soliciting and lobbyists, lobbyist associates and their
24 employers from giving campaign contributions during the
26 legislative session. The prohibition applies when the
28 Legislature is convened before final adjournment, i.e., before
30 adjournment sine die. This means that contributions may be
solicited and given during the interim between sessions. The
bill provides a \$1,000 civil penalty for violation of the
prohibition. The prohibition does not apply to contributions for
nonpartisan, charitable social events such as the legislative
scholarship fund raiser, to contributions during special
elections and to contributions after the candidate filing date in
March.