

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 2008

H.P. 1403

House of Representatives, March 23, 1999

An Act to Amend the Maine Clean Election Act.

Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative RINES of Wiscasset.

Cosponsored by Representatives: DUNLAP of Old Town, GAGNE of Buckfield, HATCH of Skowhegan, JOY of Crystal, McALEVEY of Waterboro, STANLEY of Medway, Senator: KILKELLY of Lincoln.

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

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Sec. 1. 21-A MRSA §1122, sub-§§7 and 8, as enacted by IB 1995, c. 1, §17, are repealed.

Sec. 2. 21-A MRSA §1122, sub-§9, as enacted by IB 1995, c. 1, §17, is amended to read:

9. Seed money contribution. "Seed money contribution" means a contribution of no more than \$100 per individual made to a candidate, including a contribution from the candidate or the candidate's family. To be eligible for certification, a candidate may collect and spend only seed money contributions subsequent to becoming a candidate as defined by section 1, subsection 5 ~~and throughout the qualifying period.~~ A candidate may not collect or spend seed money contributions after certification as a Maine Clean Election Act candidate. ~~The primary purpose of a seed money contribution is to enable a participating candidate to collect qualifying contributions.~~ A seed money contribution must be reported according to procedures developed by the commission.

Sec. 3. 21-A MRSA §1124, sub-§2, ¶A, as enacted by IB 1995, c. 1, §17, is repealed.

Sec. 4. 21-A MRSA §1125, sub-§1, as enacted by IB 1995, c. 1, §17, is amended to read:

1. Declaration of intent. A participating candidate must file a declaration of intent to seek certification as a Maine Clean Election Act candidate and to comply with the requirements of this chapter. The declaration of intent must be filed with the commission ~~prior to or during the qualifying period,~~ except as provided in subsection 11, according to forms and procedures developed by the commission. ~~A participating candidate must submit a declaration of intent prior to collecting qualifying contributions under this chapter.~~

Sec. 5. 21-A MRSA §1125, sub-§§3 and 4, as enacted by IB 1995, c. 1, §17, is repealed.

Sec. 6. 21-A MRSA §1125, sub-§5, as enacted by IB 1995, c. 1, §17, is amended to read:

5. Certification of Maine Clean Election Act candidates. ~~Upon receipt of a final submittal of qualifying contributions by a participating candidate, the~~ The commission shall determine whether or not the candidate has:

- A. Signed and filed a declaration of intent to participate in this Act;

2 A-1. Submitted twice the number of petition signatures
3 required pursuant to section 335, subsection 5 for the
4 respective office;

6 ~~B. Submitted the appropriate number of valid qualifying~~
7 ~~contributions;~~

8 C. Qualified as a candidate by ~~petition or~~ other means;

10 D. Not accepted contributions, except for seed money
11 contributions, and otherwise complied with seed money
12 restrictions; and

14 E. Otherwise met the requirements for participation in this
15 Act.

16 The commission shall certify a candidate complying with the
17 requirements of this section as a Maine Clean Election Act
18 candidate ~~as soon as possible and no later than 3 days after~~
19 ~~final submittal of qualifying contributions~~ after verification of
20 the required signatures pursuant to this section.

22 Upon certification, a candidate must transfer to the fund any
23 unspent seed money contributions. A certified candidate must
24 comply with all requirements of this Act after certification and
25 throughout the primary and general election periods. Failure to
26 do so is a violation of this chapter.

28 **Sec. 7. 21-A MRSA §1125, sub-§11**, as enacted by IB 1995, c. 1,
30 §17, is amended to read:

32 **11. Other procedures.** The commission shall establish by
33 rule procedures for ~~qualification~~, certification, disbursement of
34 fund revenues and return of unspent fund revenues for races
35 involving special elections, recounts, vacancies, withdrawals or
36 replacement candidates.

38 **Sec. 8. 21-A MRSA §1126**, as enacted by IB 1995, c. 1, §17, is
39 amended to read:

40 **§1126. Commission to adopt rules**

42 The commission shall adopt rules to ensure effective
43 administration of this chapter. These rules must include but
44 ~~must~~ are not be limited to procedures for ~~obtaining qualifying~~
45 ~~contributions~~, certification as a Maine Clean Election Act
46 candidate, circumstances involving special elections, vacancies,
47 recounts, withdrawals or replacements, collection of revenues for
48 the fund, distribution of fund revenue to certified candidates,
49 return of unspent fund disbursements and compliance with the
50 Maine Clean Election Act.
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SUMMARY

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4 This bill amends the Maine Clean Election Act to eliminate
6 the requirement that a candidate raise a certain amount of money
8 in order to get public financing. The bill requires that in
 order to be certified as a Maine Clean Election Act Candidate,
 the candidate must collect twice the number of signatures
 required for a candidate by petition.