

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 763

H.P. 608

House of Representatives, February 13, 2001

An Act to Refine the Maine Clean Election Act.

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

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative BROOKS of Winterport.

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

2
3 **Sec. 1. 21-A MRSA §1122, sub-§7**, as enacted by IB 1995, c. 1,
4 §17, is repealed.

6 **Sec. 2. 21-A MRSA §1122, sub-§9**, as enacted by IB 1995, c. 1,
7 §17, is amended to read:

8
9 **9. Seed money contribution.** "Seed money contribution"
10 means a contribution of no more than \$100 per individual made to
11 a candidate, including a contribution from the candidate or the
12 candidate's family. To be eligible for certification, a
13 candidate may collect and spend only seed money contributions
14 subsequent to becoming a candidate as defined by section 1,
15 subsection 5 and throughout the qualifying period. A candidate
16 may not collect or spend seed money contributions after
17 certification as a Maine Clean Election Act candidate. The
18 ~~primary purpose of a seed money contribution is to enable a~~
19 ~~participating candidate to collect qualifying contributions.~~ A
20 seed money contribution must be reported according to procedures
21 developed by the commission.

22
23 **Sec. 3. 21-A MRSA §1124, sub-§2, ¶A**, as enacted by IB 1995, c.
24 1, §17, is repealed.

26 **Sec. 4. 21-A MRSA §1125, sub-§§1 and 2**, as enacted by IB 1995,
27 c. 1, §17, are amended to read:

28
29 **1. Declaration of intent.** A participating candidate must
30 file a declaration of intent to seek certification as a Maine
31 Clean Election Act candidate and to comply with the requirements
32 of this chapter. The declaration of intent must be filed with
33 the commission prior to or during the qualifying period, except
34 as provided in subsection 11, according to forms and procedures
35 developed by the commission. ~~A participating candidate must~~
36 ~~submit a declaration of intent prior to collecting qualifying~~
37 ~~contributions under this chapter.~~

38
39 **2. Restrictions on contributions for participating**
40 **candidates.** Subsequent to becoming a candidate as defined by
41 section 1, subsection 5 and prior to certification, a
42 participating candidate may not accept contributions, except for
43 seed money contributions. A participating candidate must limit
44 the candidate's seed money contributions to the following amounts:

46 A. ~~Fifty~~ Twenty-five thousand dollars for a gubernatorial
47 candidate;

48
49 B. ~~One thousand five hundred~~ Seven hundred and fifty
50 dollars for a candidate for the State Senate; or

2 C. ~~Five--hundred~~ Two hundred and fifty dollars for a
4 candidate for the State House of Representatives.

6 The commission may, by rule, revise these amounts to ensure the
6 effective implementation of this chapter.

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

12 **Sec. 6. 21-A MRSA §1125, sub-§5**, as enacted by IB 1995, c. 1,
12 §17, is amended to read:

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

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

22 ~~B. Submitted the appropriate number of valid qualifying~~
24 ~~contributions;~~

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

28 D. Not accepted contributions, except for seed money
30 contributions, and otherwise complied with seed money
32 restrictions; and

32 E. Otherwise met the requirements for participation in this
32 Act.

34 The commission shall certify a candidate complying with the
36 requirements of this section as a Maine Clean Election Act
36 candidate as soon as possible ~~and no later than 3 days after~~
38 ~~final submittal of qualifying contributions.~~

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

46 **Sec. 7. 21-A MRSA §1125, sub-§§9 and 10**, as enacted by IB 1995,
46 c. 1, §17, are amended to read:

48 **9. Matching funds.** When any campaign, finance or election
50 report shows that the sum of a candidate's expenditures or
50 obligations, or funds raised or borrowed, whichever is greater,

2 alone or in conjunction with independent expenditures reported
under section 1019, exceeds the distribution amount under
4 subsection 8, the commission shall issue immediately to any
opposing Maine Clean Election Act candidate an additional amount
6 equivalent to the reported excess. The fair market value of any
election material, including, but not limited to, campaign signs
and cards and any equipment, including, but not limited to,
8 office equipment acquired by a candidate in a previous election
and used by that candidate in a subsequent election must be
10 included in the sum of that candidate's expenditures in a
campaign, finance or election report. Matching funds are limited
12 to 2 times the amount originally distributed under subsection 8,
paragraph A or C, whichever is applicable.

14
10. Candidate not enrolled in a party. An unenrolled
16 candidate certified by March 16th preceding the primary election
is eligible for revenues from the fund in the same amounts and at
18 the same time as an uncontested primary election candidate and a
general election candidate as specified in subsections 7 and 8.
20 ~~For an unenrolled candidate not certified by March 16th at 5:00~~
~~p.m., the deadline for filing qualifying contributions is 5:00~~
22 ~~p.m. on June 2nd preceding the general election.~~ An unenrolled
candidate certified after March 16th at 5:00 p.m. is eligible for
24 revenues from the fund in the same amounts as a general election
candidate, as specified in subsections 7 and 8.

28 SUMMARY

30 This bill makes the following changes to the Maine Clean
Election Act.

32 1. It eliminates the requirement that a candidate collect
34 qualifying contributions.

36 2. It reduces by 50% the amount of seed money contributions
a candidate may accept.

38 3. It requires that the fair market value of election
40 material and equipment acquired by a candidate in a previous
election and used by that candidate in a subsequent election be
42 taken into account when matching funds are awarded.