

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 153

S.P. 76

In Senate, January 21, 2003

An Act to Prohibit the Secretary of State From Endorsing Political Candidates

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

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

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BLAIS of Kennebec.
Cosponsored by Representative BERUBE of Lisbon and
Senators: DAVIS of Piscataquis, TURNER of Cumberland, WOODCOCK of Franklin.

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

4 **Sec. 1. 5 MRSA §90-C** is enacted to read:

6 **§90-C. Prohibited activities**

8 The Secretary of State may not use the secretary's official authority or influence for the purpose of:

10 1. **Political activity.** Engaging in any form of political activity, including making any type of communication that could reasonably be viewed as engaging in political activity; or

14 2. **Intimidation.** Attempting to intimidate, threaten, coerce, command or influence a person to give or withhold a political contribution or to engage or not to engage in any form of political activity.

18 For the purposes of this section, "use of official authority or influence" includes promising to confer or conferring a benefit such as compensation or a grant, contract, license or ruling; or taking, directing others to take, recommending, processing or approving any personnel action. As used in this section, "political activity" means to advocate expressly for the election or defeat of any candidate for a federal office or a constitutional office or any candidate for a partisan elective municipal, county or state office, including leadership positions in the Senate and the House of Representatives, or to solicit contributions reportable under Title 21-A, chapter 13.

32 **SUMMARY**

34 **This bill prohibits the Secretary of State from using the secretary's official authority to interfere with or influence a partisan election or engage in any type of political activity.**