

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 820

H.P. 597

House of Representatives, February 20, 2003

An Act To Prohibit a Governmental Entity from Endorsing a Political Candidate or a Referendum Issue

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative BERRY of Belmont.
Cosponsored by Representatives: GLYNN of South Portland, JOY of Crystal, KAELIN of
Winterport.

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

4 **Sec. 1. 21-A MRSA §1001, sub-§2-A** is enacted to read:

6 2-A. Governmental entity. "Governmental entity" means any
municipality, county government or quasi-municipal district,
including water and sewer districts.

8 **Sec. 2. 21-A MRSA §1014-C** is enacted to read:

10 **§1014-C. Endorsement by governmental entity prohibited**

12 A governmental entity may not endorse a campaign for the
14 passage or defeat of a referendum or endorse a candidate. A
16 governmental entity that violates this provision is subject to a
18 penalty. The commission shall adopt rules to establish
20 appropriate penalties. Rules adopted pursuant to this section
22 are routine technical rules as defined in Title 5, chapter 375,
24 subchapter 2-A.

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

28 10. Governmental entities. A governmental entity may not
30 make a contribution to a political candidate or to a campaign for
32 the passage or defeat of a referendum. A governmental entity
34 that violates this provision is subject to a penalty. The
36 commission shall adopt rules to establish appropriate penalties.
38 Rules adopted pursuant to this section are routine technical
40 rules as defined in Title 5, chapter 375, subchapter 2-A.

32 **SUMMARY**

34 This bill prohibits municipalities, county governments and
36 quasi-municipal districts, including water and sewer districts,
38 from endorsing campaigns for the passage or defeat of a
40 referendum or political candidates. The bill also prohibits
these entities from making contributions to candidates or
referendum campaigns. The bill authorizes the Commission on
Governmental Ethics and Election Practices to set penalties for
violating these prohibitions.