

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1162

H.P. 859

House of Representatives, March 5, 2003

An Act To Prohibit the Use of Clean Election Funding for Candidates Who Lose in Primaries

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative SUSLOVIC of Portland.
Cosponsored by Senator NASS of York and
Representatives: BLISS of South Portland, BOWEN of Rockport, COLLINS of Wells,
JENNINGS of Leeds, LANDRY of Sanford, McLAUGHLIN of Cape Elizabeth, Senators:
GAGNON of Kennebec, TURNER of Cumberland.

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

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

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

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

14 B. Submitted the appropriate number of valid qualifying
contributions;

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

18 D. Not accepted contributions, except for seed money
20 contributions, and otherwise complied with seed money
restrictions; and

22 E. Otherwise met the requirements for participation in this
24 Act.

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

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

36 A candidate who loses a primary election may not be certified for
38 the general election in the same election cycle. A certified
40 candidate who loses a primary election loses certification and
must transfer to the fund any unspent funds held by that
42 candidate.

44 **SUMMARY**

46 This bill provides that a Maine Clean Election Act candidate
who loses a primary election also loses certification under the
48 Maine Clean Election Act and must transfer all unspent campaign
funds to the Maine Clean Election Fund.