

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1268

H.P. 940

House of Representatives, March 11, 2003

An Act To Ensure Fairness in Elections

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative KETTERER of Madison.

Cosponsored by Representatives: CANAVAN of Waterville, DUNLAP of Old Town, HATCH of Skowhegan, McGLOCKLIN of Embden, SUSLOVIC of Portland, Senator: SAWYER of Penobscot.

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

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4 **Sec. 1. 21-A MRSA §1125, sub-§9**, as enacted by I.B. 1995, c.
1, §17, is amended to read:

6 **9. Matching funds.** When any campaign, finance or election
8 report shows that the sum of a candidate's expenditures or
obligations, or funds raised or borrowed, whichever is greater,
10 alone or in conjunction with independent expenditures reported
under section 1019, exceeds the distribution amount under
12 subsection 8, the commission shall issue immediately to any
opposing Maine Clean Election Act candidate an additional amount
14 equivalent to the reported excess. For the purpose of this
subsection, expenditures reported during a primary campaign that
are used toward campaign-related activities during the general
election campaign must be considered as a candidate's general
election expenditures and included in the sum of a candidate's
expenditures or obligations. Matching funds are limited to 2
18 times the amount originally distributed under subsection 8,
20 paragraph A or C, whichever is applicable.

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SUMMARY

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26 This bill clarifies that expenditures reported during a
primary campaign that are used for campaign-related activities
28 during a general election campaign are general election
expenditures for the purposes of distributing matching funds to a
Maine Clean Election Act candidate.

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32 This bill is in response to "Collins v. Ethics Commission,"
Docket No. AP02-57, Cumberland County Superior Court.