

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. 1283

S.P. 414

In Senate, March 11, 2003

An Act To Allow County Candidates To Run as Clean Election 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 HATCH of Somerset.
Cosponsored by Representative TWOMEY of Biddeford and
Senators: BRYANT of Oxford, STANLEY of Penobscot, Representatives: GERZOFKY of
Brunswick, HATCH of Skowhegan, HUTTON of Bowdoinham.

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

2
4 **Sec. 1. 21-A MRSA §1122, sub-§§1, 5 and 6,** as enacted by IB 1995, c. 1, §17, are amended to read:

6 **1. Certified candidate.** "Certified candidate" means a
8 candidate running for Governor, State Senator ~~or~~, State
10 Representative or county office who chooses to participate in the
Maine Clean Election Act and who is certified as a Maine Clean
Election Act candidate under section 1125, subsection 5.

12 **5. Nonparticipating candidate.** "Nonparticipating
14 candidate" means a candidate running for Governor, State Senator
~~or~~, State Representative or county office who does not choose to
16 participate in the Maine Clean Election Act and who is not
seeking to be certified as a Maine Clean Election Act candidate
under section 1125, subsection 5.

18 **6. Participating candidate.** "Participating candidate"
20 means a candidate who is running for Governor, State Senator ~~or~~,
22 State Representative or county office who is seeking to be
certified as a Maine Clean Election Act candidate under section
1125, subsection 5.

24 **Sec. 2. 21-A MRSA §1122, sub-§8, ¶B,** as amended by PL 2001, c.
26 465, §3, is further amended to read:

28 B. For State Senate ~~or~~, State House of Representatives or
30 county participating candidates, the qualifying period
begins January 1st of the election year and ends at 5:00
32 p.m. on April 15th of that election year unless the
candidate is unenrolled, in which case the period ends at
5:00 p.m. on June 2nd of the election year.

34 **Sec. 3. 21-A MRSA §1123,** as enacted by IB 1995, c. 1, §17, is
36 amended to read:

38 **§1123. Alternative campaign financing option**

40 This chapter establishes an alternative campaign financing
42 option available to candidates running for Governor, State
Senator ~~and~~, State Representative and county office. This
44 alternative campaign financing option is available to candidates
for elections to be held beginning in the year 2000. The
46 commission shall administer this Act and the fund. Candidates
participating in the Maine Clean Election Act must also comply
48 with all other applicable election and campaign laws and
regulations.

2 **Sec. 4. 21-A MRSA §1124, sub-§1**, as enacted by IB 1995, c. 1,
§17, is amended to read:

4 **1. Established.** The Maine Clean Election Fund is
established to finance the election campaigns of certified Maine
6 Clean Election Act candidates running for Governor, State Senator
and State Representative and county office and to pay
8 administrative and enforcement costs of the commission related to
this Act. The fund is a special, dedicated, nonlapsing fund and
10 any interest generated by the fund is credited to the fund. The
commission shall administer the fund.

12 **Sec. 5. 21-A MRSA §1125, sub-§2, ¶¶B and C**, as enacted by IB
14 1995, c. 1, §17, are amended to read:

16 B. One thousand five hundred dollars for a candidate for
the State Senate; ~~or~~

18 C. Five hundred dollars for a candidate for the State House
20 of Representatives; ~~or~~

22 **Sec. 6. 21-A MRSA §1125, sub-§2, ¶D** is enacted to read:

24 D. Two hundred fifty dollars for a candidate for county
office.

26 **Sec. 7. 21-A MRSA §1125, sub-§3, ¶¶B and C**, as enacted by IB
28 1995, c. 1, §17, are amended to read:

30 B. For a candidate for the State Senate, at least 150
verified registered voters from the candidate's electoral
32 division must support the candidacy by providing a
qualifying contribution to that candidate; ~~or~~

34 C. For a candidate for the State House of Representatives,
36 at least 50 verified registered voters from the candidate's
electoral division must support the candidacy by providing a
38 qualifying contribution to that candidate; ~~or~~

40 **Sec. 8. 21-A MRSA §1125, sub-§3, ¶D** is enacted to read:

42 D. For a candidate for county office, at least 25 verified
registered voters from the candidate's electoral division
44 must support the candidacy by providing a qualifying
contribution to that candidate.

46 **Sec. 9. 21-A MRSA §1125, sub-§8, ¶¶A to C**, as enacted by IB
48 1995, c. 1, §17, are amended to read:

2 A. For contested primary elections, the amount of revenues
to be distributed is the average amount of campaign
4 expenditures made by each candidate during all contested
primary election races for the immediately preceding 2
6 primary elections as reported in the initial filing period
subsequent to the primary election for the respective
8 offices of Governor, State Senate and, State House of
Representatives and county office.

10 B. For uncontested primary elections, the amount of
revenues distributed is the average amount of campaign
12 expenditures made by each candidate during all uncontested
primary election races, or for contested races if that
14 amount is lower, for the immediately preceding 2 primary
elections as reported in the initial filing period
16 subsequent to the primary election for the respective
offices of Governor, State Senate and, State House of
18 Representatives and county office.

20 C. For contested general elections, the amount of revenues
distributed is the average amount of campaign expenditures
22 made by each candidate during all contested general election
races for the immediately preceding 2 general elections as
24 reported in the initial filing period subsequent to the
general election for the respective offices of Governor,
26 State Senate and, State House of Representatives and county
office.

28 **Sec. 10. 21-A MRSA §1125, sub-§13**, as enacted by IB 1995, c.
30 1, §17, is amended to read:

32 **13. Distributions not to exceed amount in fund.** The
commission may not distribute revenues to certified candidates in
34 excess of the total amount of money deposited in the fund as set
forth in section 1124. Notwithstanding any other provisions of
36 this chapter, if the commission determines that the revenues in
the fund are insufficient to meet distributions under subsections
38 8 or 9, the commission may permit certified candidates to accept
and spend contributions, reduced by any seed money contributions,
40 aggregating no more than \$500 per donor per election for
gubernatorial candidates and \$250 per donor per election for
42 State Senate and, State House and county office candidates, up to
the applicable amounts set forth in subsections 8 and 9 according
44 to rules adopted by the commission.

46 SUMMARY

48 This bill allows candidates for county office to run as
50 participating candidates under the Maine Clean Election Act.