

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1348

S.P. 439

In Senate, March 12, 2003

**An Act To Require Candidates Who Are Not Maine Clean Election
Act Candidates To Report All Sources of Funding**

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 STRIMLING of Cumberland.

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

4 **Sec. 1. 21-A MRSA §1017, sub-§3-A**, as amended by PL 1995, c.
483, §7, is further amended by amending the first paragraph to
6 read:

7 **3-A. Other candidates.** A treasurer of a candidate for
8 state or county office other than the office of Governor shall
file reports with the commission and municipal candidates shall
10 file reports with the municipal clerk as follows. Once the first
required report has been filed, each subsequent report must cover
12 the period from the completion date of the prior report filed.
Reports required by this subsection must include a detailed
14 accounting of sources of contributions received and obligations
incurred and the purpose for and recipient of all expenditures.

16 **Sec. 2. 21-A MRSA §1017, sub-§3-B**, as amended by PL 2001, c.
18 589, §§1 and 2, is further amended to read:

20 **3-B. Accelerated reporting schedule.** Additional reports
are required from nonparticipating Maine Clean Election Act
22 candidates pursuant to this subsection.

24 A. In addition to other reports required by law, any
candidate for Governor, State Senate or State House of
26 Representatives who is not certified as a Maine Clean
Election Act candidate under chapter 14 and who receives,
28 spends or obligates more than 1% in excess of the primary or
general election distribution amounts for a Maine Clean
30 Election Act candidate in the same race shall file by any
means acceptable to the commission, within 48 hours of that
32 event, a report with the commission detailing the
candidate's total campaign contributions, obligations and
34 expenditures to date. The report must detail sources of
contributions and obligations and the purpose for and
36 recipient of expenditures.

38 B. A nonparticipating candidate with a Maine Clean Election
Act opponent shall file the following additional reports
40 detailing the candidate's total campaign contributions,
obligations and expenditures to date, unless that candidate
42 signs an affidavit by the date the report is due, attesting
that the candidate has not received, spent or obligated an
44 amount sufficient to require a report under paragraph A:

46 (1) A report filed not later than 5 p.m. on the 42nd
day before the date on which an election is held and
48 complete as of the 44th day before that date;

50 (2) A report filed no later than 5 p.m. on the 21st

2 day before the date on which an election is held and
complete as of the 23rd day before that date; and

4 (3) A report filed no later than 5 p.m. on the 12th
6 day before the date on which an election is held and
complete as of the 14th day before that date.

8 C. A candidate who is required to file a report under
10 paragraph A must file with the commission an updated report
12 that reports single expenditures in the following amounts
that are made after the 14th day before an election and more
than 48 hours before 5:00 p.m. on the date of that election:

14 (1) For a candidate for Governor, a single expenditure
of \$1,000;

16 (2) For a candidate for the state Senate, a single
18 expenditure of \$750; and

20 (3) For a candidate for the state House of
22 Representatives, a single expenditure of \$500.

24 A report filed pursuant to this paragraph must be filed
within 48 24 hours of the expenditure.

26 The commission shall provide forms to facilitate compliance with
28 this subsection. The commission shall notify a candidate within
48 24 hours if an amount reported on any report under paragraph B
30 exceeds 1% in excess of the primary or general election
distribution amounts for a Maine Clean Election Act candidate in
the same race and no report has been received under paragraph A.

32 **Sec. 3. 21-A MRSA §1125, sub-§6**, as enacted by IB 1995, c. 1,
34 §17, is amended to read:

36 **6. Restrictions on contributions and expenditures for**
38 **certified candidates; reports.** After certification, a candidate
must limit the candidate's campaign expenditures and obligations,
40 including outstanding obligations, to the revenues distributed to
the candidate from the fund and may not accept any contributions
42 unless specifically authorized by the commission. All revenues
distributed to certified candidates from the fund must be used
44 for campaign-related purposes. The commission shall publish
guidelines outlining permissible campaign-related expenditures.
46 Certified candidates shall provide reports periodically, as
designated by the commission, detailing the purpose for and
recipient of expenditures on forms provided by the commission.
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SUMMARY

4 This bill requires more detailed reporting for those
6 candidates running against Maine Clean Election Act candidates.
8 The bill requires that the report detail sources of contributions
10 and obligations and the purpose for and recipient of
12 expenditures. It also requires that the contribution and
expenditure reports due to be filed with the Commission on
Governmental Ethics and Election Practices 2 weeks prior to an
election be filed within 24 hours of the contribution or
expenditure that triggers the report.