

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1740

S.P. 607

March 27, 2007

An Act To Amend the Maine Clean Election Act

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 PLOWMAN of Penobscot.
Cosponsored by Senators: BENOIT of Sagadahoc, NASS of York, WESTON of Waldo,
Representatives: McKANE of Newcastle, RICHARDSON of Carmel, TARDY of Newport,
THIBODEAU of Winterport.

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

2 **Sec. 1. 21-A MRSA §1015, sub-§1**, as amended by PL 1999, c. 729, §2, is
3 further amended to read:

4 **1. Individuals.** An individual may not make contributions to a candidate in support
5 of the candidacy of one person aggregating more than ~~\$500~~ \$1,000 in any election for a
6 gubernatorial candidate or more than ~~\$250~~ \$750 in any election for a candidate for the
7 state Senate or more than \$500 in any other candidate election for a candidate for the state
8 House of Representatives. This limitation does not apply to contributions in support of a
9 candidate by that candidate or that candidate's spouse.

10 **Sec. 2. 21-A MRSA §1122, sub-§9**, as amended by PL 2005, c. 301, §28, is
11 further amended to read:

12 **9. Seed money contribution.** "Seed money contribution" means a contribution of
13 no more than \$100 ~~per individual~~ made to a candidate from a voter within the electoral
14 division for which the candidate is seeking election, including a contribution from the
15 candidate or the candidate's family. To be eligible for certification, a candidate may
16 collect and spend only seed money contributions subsequent to becoming a candidate as
17 defined by section 1, subsection 5 and throughout the qualifying period. A participating
18 candidate who has accepted contributions or made expenditures that do not comply with
19 the seed money restrictions under this chapter may petition the commission to remain
20 eligible for certification as a Maine Clean Election Act candidate in accordance with rules
21 of the commission, if the failure to comply was unintentional and does not constitute a
22 significant infraction of these restrictions. Prior to certification, a candidate may obligate
23 an amount greater than the seed money collected if the value of the goods and services
24 received from a vendor does not exceed the amount paid to the vendor. A candidate may
25 not collect or spend seed money contributions after certification as a Maine Clean
26 Election Act candidate. A seed money contribution must be reported according to
27 procedures developed by the commission.

28 **Sec. 3. 21-A MRSA §1125, sub-§2**, as enacted by IB 1995, c. 1, §17, is amended
29 to read:

30 **2. Restrictions on contributions for participating candidates.** Subsequent to
31 becoming a candidate as defined by section 1, subsection 5 and prior to certification, a
32 participating candidate may not accept contributions, except for seed money
33 contributions. A participating candidate must ~~limit the candidate's~~ raise seed money
34 contributions ~~to~~ in the following amounts:

- 35 A. Fifty thousand dollars for a gubernatorial candidate;
- 36 B. One thousand five hundred dollars for a candidate for the State Senate; or
- 37 C. Five hundred dollars for a candidate for the State House of Representatives.

38 The commission may, by rule, revise these amounts and establish a maximum amount of
39 seed money contributions to ensure the effective implementation of this chapter.

1 **Sec. 4. 21-A MRSA §1125, sub-§9**, as repealed and replaced by PL 2003, c. 688,
2 Pt. A, §22, is amended to read:

3 **9. Matching funds.** When any campaign, finance or election report for a general
4 election shows that the sum of a candidate's expenditures or obligations, or funds raised
5 or borrowed, whichever is greater, alone or in conjunction with independent expenditures
6 reported under section 1019-B, exceeds the distribution amount under subsection 8 for a
7 general election plus any seed money raised, the commission shall issue immediately to
8 any opposing Maine Clean Election Act candidate an additional amount equivalent to the
9 reported excess. Matching funds are limited to 2 times the amount originally distributed
10 under subsection 8, paragraph ~~A, C~~, E or F, whichever is applicable.

11

SUMMARY

12 This bill increases the contribution limits in current law for legislative and
13 gubernatorial candidates. Under this bill, individuals may make contributions
14 aggregating up to \$1,000 for a gubernatorial candidate, \$750 to a candidate for the state
15 Senate and \$500 to a candidate for the state House of Representatives. This bill specifies
16 that seed money contributions for a candidate seeking certification as a Maine Clean
17 Election Act candidate must come from voters within the candidate's voting district and
18 that a minimum amount must be collected in order to become certified as a Maine Clean
19 Election Act candidate. The bill also changes current law to exclude the distribution of
20 matching funds in primary elections. Finally, this bill includes seed money raised by a
21 Maine Clean Election Act candidate in the formula used to determine whether a candidate
22 may receive matching funds.