

MAINE STATE LEGISLATURE

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STATE OF MAINE

SENATE

123RD LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 668, L.D. 1854, Bill, "An Act Regarding Campaign Finance Reporting and the Maine Clean Election Act"

Amend the bill in Part A by striking out all of sections 1 and 3.

Amend the bill in Part A in section 5 in paragraph B in subparagraph (7) in division (a) in the first line (page 2, line 34 in L.D.) by striking out the following: "20" and inserting the following: '40'

Amend the bill in Part A in section 6 in paragraph B in subparagraph (10) in division (a) in the first line (page 4, line 17 in L.D.) by striking out the following: "20" and inserting the following: '40'

Amend the bill in Part A in section 11 in §1014 in subsection 1 in the next to the last line (page 6, line 31 in L.D.) by striking out the following: "radio station" and inserting the following: 'broadcasting station'

Amend the bill in Part A in section 11 in §1014 in subsection 2-A in the 3rd line (page 6, line 43 in L.D.) by striking out the following: "60" and inserting the following: '35'

Amend the bill in Part A in section 11 in §1014 in subsection 3 in the 2nd line (page 7, line 7 in L.D.) by striking out the following: "or agent of that person"

Amend the bill in Part A in section 11 in §1014 in subsection 5 in the 3rd line (page 8, line 5 in L.D.) by striking out the following: "60" and inserting the following: '35'

Amend the bill in Part A in section 18 in §1017 in subsection 2 in paragraph A in the 4th line (page 9, line 33 in L.D.) by striking out the following: "5:00" and inserting the following: '11:59'

Amend the bill in Part A in section 18 in §1017 in subsection 2 in paragraph B in the first line (page 10, line 1 in L.D.) by striking out the following: "5:00" and inserting the following: '11:59'

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to S.P. 668, L.D. 1854

1 Amend the bill in Part A in section 18 in §1017 in subsection 2 in paragraph C in the
2 first line (page 10, line 6 in L.D.) by striking out the following: "5:00" and inserting the
3 following: '11:59'

4 Amend the bill in Part A in section 18 in §1017 in subsection 2 in paragraph D in the
5 3rd line (page 10, line 11 in L.D.) by striking out the following: "5:00" and inserting the
6 following: '11:59'

7 Amend the bill in Part A in section 18 in §1017 in subsection 2 in paragraph E in the
8 first line (page 10, line 13 in L.D.) by striking out the following: "5:00" and inserting the
9 following: '11:59'

10 Amend the bill in Part A in section 18 in §1017 in subsection 3-A in paragraph A in
11 the 4th line (page 11, line 1 in L.D.) by striking out the following: "5:00" and inserting
12 the following: '11:59'

13 Amend the bill in Part A in section 18 in §1017 in subsection 3-A in paragraph B in
14 the first line (page 11, line 6 in L.D.) by striking out the following: "5:00" and inserting
15 the following: '11:59'

16 Amend the bill in Part A in section 18 in §1017 in subsection 3-A by striking out all
17 of paragraph C (page 11, lines 11 to 14 in L.D.) and inserting the following:

18 'C. Contributions aggregating \$1,000 or more from any one contributor or single
19 expenditures of \$1,000 or more, made after the ~~12th~~ 14th day before any election and
20 more than 24 hours before ~~5~~ 11:59 p.m. on the day of any election must be reported
21 within 24 hours of those contributions or expenditures.'

22 Amend the bill in Part A in section 18 in §1017 in subsection 3-A in paragraph D in
23 the first line (page 11, line 15 in L.D.) by striking out the following: "5:00" and inserting
24 the following: '11:59'

25 Amend the bill in Part A in section 18 in §1017 in subsection 3-B by striking out all
26 of paragraph C (page 12, lines 22 to 31 in L.D.) and inserting the following:

27 'C. A candidate who is required to file a report under paragraph A must file with
28 the commission an updated report that reports single expenditures in the following
29 amounts that are made after the 14th day before an election and more than 24 hours
30 before ~~5:00~~ 11:59 p.m. on the date of that election:

- 31 (1) For a candidate for Governor, a single expenditure of \$1,000;
32 (2) For a candidate for the state Senate, a single expenditure of \$750; and
33 (3) For a candidate for the state House of Representatives, a single expenditure
34 of \$500.

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

37 Amend the bill in Part A in section 18 in §1017 in subsection 3-B by striking out all
38 of the last blocked paragraph (page 12, lines 32 to 36 in L.D.) and inserting the following:

- 1 'The commission shall provide forms to facilitate compliance with this subsection. The
2 commission shall notify a candidate within 48 hours if an amount reported on any report
3 under paragraph B exceeds 1% in excess of the primary or general election distribution
4 amounts for a Maine Clean Election Act candidate in the same race and no report has
5 been received under paragraph A.'
- 6 Amend the bill in Part A in section 19 in §1017-A in subsection 4-A in paragraph A
7 in the first line (page 16, line 27 in L.D.) by striking out the following: "5:00" and
8 inserting the following: '11:59'
- 9 Amend the bill in Part A in section 19 in §1017-A in subsection 4-A in paragraph B
10 in the first line (page 16, line 32 in L.D.) by striking out the following: "5:00" and
11 inserting the following: '11:59'
- 12 Amend the bill in Part A in section 19 in §1017-A in subsection 4-A in paragraph C
13 in the 2nd line (page 17, line 2 in L.D.) by striking out the following: "5:00" and inserting
14 the following: '11:59'
- 15 Amend the bill in Part A in section 19 in §1017-A in subsection 4-B in paragraph A
16 in the first line (page 17, line 17 in L.D.) by striking out the following: "5:00" and
17 inserting the following: '11:59'
- 18 Amend the bill in Part A in section 19 in §1017-A in subsection 4-B in paragraph B
19 in the first line (page 17, line 23 in L.D.) by striking out the following: "5:00" and
20 inserting the following: '11:59'
- 21 Amend the bill in Part A in section 19 in §1017-A in subsection 4-B by striking out
22 all of paragraph C (page 17, lines 26 to 28 in L.D.) and inserting the following:
- 23 'C. Any ~~contribution or~~ expenditure of \$1,000 or more made after the ~~12th~~ 14th day
24 before any election and more than 24 hours before ~~that~~ 11:59 p.m. on the day of the
25 election must be reported within 24 hours of that ~~contribution or~~ expenditure.'
- 26 Amend the bill in Part A in section 22 in paragraph B in the next to the last line (page
27 19, line 3 in L.D.) by striking out the following: "60" and inserting the following: '35'
- 28 Amend the bill in Part A by striking out all of sections 23 and 24.
- 29 Amend the bill in Part A in section 25 in subsection 2 in the 4th line (page 19, line 29
30 in L.D.) by striking out the following: "5:00" and inserting the following: '11:59'
- 31 Amend the bill in Part A in section 27 in subsection 6 in the 3rd line (page 20, line 40
32 in L.D.) by striking out the following: "5:00" and inserting the following: '11:59'
- 33 Amend the bill in Part A in section 39 in §1059 in the first indented paragraph in the
34 2nd line (page 25, line 30 in L.D.) by striking out the following: "5:00" and inserting the
35 following: '11:59'
- 36 Amend the bill in Part A in section 42 in subsection 2 in the 4th line (page 28, line 22
37 in L.D.) by striking out the following: "5:00" and inserting the following: '11:59'
- 38 Amend the bill in Part A in section 44 in subsection 5 in the 3rd line (page 29, line 21
39 in L.D.) by striking out the following: "5:00" and inserting the following: '11:59'

1 Amend the bill in Part B in section 3 in subsection 9 in the 2nd and 3rd lines (page
2 30, lines 24 and 25 in L.D.) by striking out the following: "by an individual who is a
3 Maine resident"

4 Amend the bill in Part B in section 4 in paragraph B in the 3rd and 4th lines (page 31,
5 lines 3 and 4 in L.D.) by striking out the following: "each year, beginning January 1,
6 1999 2008 and 2009, then on or before September 1st of each year thereafter" and
7 inserting the following: 'each year, beginning January 1, 1999'

8 Amend the bill in Part B in section 6 in §1125 by striking out all of subsections 2-A,
9 2-B and 2-C and inserting the following:

10 '2-A. Seed money restrictions. To be eligible for certification, a participating
11 candidate may collect and spend only seed money contributions subsequent to becoming
12 a candidate and prior to certification. A participating candidate may not solicit, accept or
13 collect seed money contributions after certification as a Maine Clean Election Act
14 candidate.

15 A. All goods and services received prior to certification must be paid for with seed
16 money contributions, except for goods and services that are excluded from the
17 definition of contribution in section 1012, subsection 2, paragraph B. It is a violation
18 of this chapter for a participating candidate to use fund revenues received after
19 certification to pay for goods and services received prior to certification.

20 B. Prior to certification, a participating candidate may obligate an amount greater
21 than the seed money collected, but may only receive that portion of goods and
22 services that has been paid for or will be paid for with seed money. A participating
23 candidate who has accepted contributions or made expenditures that do not comply
24 with the seed money restrictions under this chapter may petition the commission to
25 remain eligible for certification as a Maine Clean Election Act candidate in
26 accordance with rules of the commission, if the failure to comply was unintentional
27 and does not constitute a significant infraction of these restrictions.

28 C. Upon requesting certification, a participating candidate shall file a report of all
29 seed money contributions and expenditures. If the candidate is certified, any unspent
30 seed money will be deducted from the amount distributed to the candidate as
31 provided in subsection 8.'

32 Amend the bill in Part B in section 6 in §1125 in subsection 3 in paragraph A in the
33 first line (page 33, line 7 in L.D.) by striking out the following: "2,500" and inserting the
34 following: '~~2,500~~ 3,250'

35 Amend the bill in Part B in section 6 in §1125 in subsection 4 in the last 2 lines (page
36 33, lines 34 and 35 in L.D.) by striking out the following: "contribution cards required
37 by subsection 2-B"

38 Amend the bill in Part B in section 6 in §1125 in subsection 5 by striking out all of
39 paragraph C-1 (page 34, lines 1 and 2 in L.D.).

40 Amend the bill in Part B in section 6 in §1125 by striking out all of subsection 6
41 (page 35, lines 14 to 28 in L.D.) and inserting the following:

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1 would transfer General Fund money to the Maine Clean Election Fund in September
2 rather than in January as required by current law. The amendment removes a provision in
3 the bill that would prohibit a Maine Clean Election Act candidate from paying family
4 members services provided to the candidate's campaign.

5 The amendment increases from 2,500 to 3,250 the number of qualifying contributions
6 a gubernatorial candidate must obtain to become certified, but eliminates the proposal in
7 the bill that would require a gubernatorial candidate to raise a minimum of \$15,000 in
8 seed money contributions. The amendment clarifies an error in the bill with regard to
9 gubernatorial matching funds.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



123rd MAINE LEGISLATURE

LD 1854

LR 2532(02)

An Act Regarding Campaign Finance Reporting and the Maine Clean Election Act

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Not Referred

Fiscal Note Required: Yes

Fiscal Note

Undetermined revenue effect - Maine Clean Election Fund

Fiscal Detail and Notes

Various changes in the fine structure of the Maine Clean Election Act may result in changes in the amount of fine revenue that is collected for the Maine Clean Election Fund; the amounts will depend on the nature and frequency of any fineable offense and cannot be determined at this time. In addition, increasing the number of qualifying contributions required for gubernatorial candidates may have the effect of decreasing the number of gubernatorial Clean Election candidates, thereby resulting in possible savings to the Maine Clean Election Fund in fiscal years 2009-10 and 2010-11. The amounts will depend on the number of gubernatorial Clean Election candidates and cannot be determined at this time.