

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 772

S.P. 299

In Senate, February 26, 2009

An Act To Increase Eligibility Requirements under the Maine Clean Election Act

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

Handwritten signature of Joy J. O'Brien in cursive script.

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator RAYE of Washington.
Cosponsored by Senator SHERMAN of Aroostook, Representative STRANG BURGESS of
Cumberland and Senator: PLOWMAN of Penobscot, Representatives: NASS of Acton,
SAVIELLO of Wilton.

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

2 **Sec. 1. 21-A MRSA §1125, sub-§1**, as amended by PL 2007, c. 443, Pt. B, §6, is
3 further amended to read:

4 **1. Declaration of intent.** A participating candidate must file a declaration of intent
5 to seek certification as a Maine Clean Election Act candidate and to comply with the
6 requirements of this chapter. The declaration of intent must be filed with the commission
7 prior to or during the qualifying period, except as provided in subsection 11, according to
8 forms and procedures developed by the commission. A participating candidate must
9 submit a declaration of intent within 5 business days of collecting qualifying
10 contributions under this chapter. Qualifying contributions collected before the
11 declaration of intent has been filed will not be counted toward the eligibility requirement
12 in subsection 3. The commission may not accept a declaration of intent from a
13 participating candidate who ran for office previously and did not receive at least 15% of
14 the vote in the participating candidate's most recent campaign.

15 **Sec. 2. 21-A MRSA §1125, sub-§2-A**, as enacted by PL 2007, c. 443, Pt. B, §6,
16 is amended to read:

17 **2-A. Seed money restrictions.** To be eligible for certification, a participating
18 candidate may collect and spend only seed money contributions subsequent to becoming
19 a candidate and prior to certification. A participating candidate must raise the amount of
20 seed money contributions under subsection 2 for the office for which the participating
21 candidate intends to run in order to be certified. A participating candidate may not
22 solicit, accept or collect seed money contributions after certification as a Maine Clean
23 Election Act candidate.

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

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

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

41 **Sec. 3. 21-A MRSA §1125, sub-§6**, as amended by PL 2007, c. 443, Pt. B, §6, is
42 further amended to read:

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6. Restrictions on contributions and expenditures for certified candidates. After certification, a candidate must limit the candidate's campaign expenditures and obligations, including outstanding obligations, to the revenues distributed to the candidate from the fund and may not accept any contributions unless specifically authorized by the commission. Candidates may also accept and spend interest earned on fund revenues in campaign bank accounts. All revenues distributed to a certified candidate from the fund must be used for campaign-related purposes. The candidate, the treasurer, the candidate's committee authorized pursuant to section 1013-A, subsection 1 or any agent of the candidate and committee may not use these revenues for any but campaign-related purposes. A political communication paid for with fund revenue that requires a disclosure under section 1014 must contain the words "Paid for with taxpayer funds under the Maine Clean Election Act." The commission shall publish guidelines outlining permissible campaign-related expenditures.

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SUMMARY

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This bill amends the Maine Clean Election Act by requiring:

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1. A participating candidate who has previously run for office to have received at least 15% of the vote in the candidate's most recent campaign;
2. A participating candidate to raise the entire amount of seed money allowed in order to be certified as a participating candidate; and
3. A political communication paid for with Maine Clean Election Act funds that otherwise requires a disclosure to contain the words "Paid for with taxpayer funds under the Maine Clean Election Act."