

# 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)



STATE LAW LIBRARY  
AUGUSTA, MAINE

# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

---

**Legislative Document**

**No. 1100**

S.P. 411

In Senate, March 25, 2009

---

### **An Act To Preserve Government Documents**

---

Reference to the Committee on State and Local Government 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 ALFOND of Cumberland.  
Cosponsored by Representative PENDLETON of Scarborough and  
Senator: MARRACHÉ of Kennebec, Representatives: BICKFORD of Auburn, PRIEST of  
Brunswick; VALENTINO of Saco.

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

2           **Sec. 1. 21-A MRSA §1017, sub-§3-A**, as amended by PL 2007, c. 642, §10, is  
3 further amended to read:

4           **3-A. Other candidates.** A treasurer of a candidate for state or county office, or a  
5 candidate for municipal office of a town or city with a population of 15,000 or more,  
6 other than the office of Governor shall file reports with the commission ~~and municipal~~  
7 ~~candidates shall file reports with the municipal clerk~~ as follows. Once the first required  
8 report has been filed, each subsequent report must cover the period from the end date of  
9 the prior report filed.

10           A. In any calendar year in which an election for the candidate's particular office is  
11 not scheduled, when any candidate or candidate's political committee has received  
12 contributions in excess of \$500 or made or authorized expenditures in excess of \$500,  
13 reports must be filed no later than 11:59 p.m. on July 15th of that year and January  
14 15th of the following calendar year. These reports must include all contributions  
15 made to and all expenditures made or authorized by or on behalf of the candidate or  
16 the treasurer of the candidate as of the end of the preceding month, except those  
17 covered by a previous report.

18           B. Reports must be filed no later than 11:59 p.m. on the 11th day before the date on  
19 which an election is held and must be complete as of the 14th day before that date. If  
20 a report was not filed under paragraph A, the report required under this paragraph  
21 must cover all contributions and expenditures through the 14th day before the  
22 election.

23           C. Contributions aggregating \$1,000 or more from any one contributor or single  
24 expenditures of \$1,000 or more made after the 14th day before any election and more  
25 than 24 hours before 11:59 p.m. on the day of any election must be reported within  
26 24 hours of those contributions or expenditures.

27           D. Reports must be filed no later than 11:59 p.m. on the 42nd day after the date on  
28 which an election is held and must be complete for the filing period as of the 35th day  
29 after that date.

30           D-1. Reports must be filed no later than 5 p.m. on the 42nd day before the date on  
31 which a general election is held and must be complete as of the 49th day before that  
32 date.

33           E. Unless further reports will be filed in relation to a later election in the same  
34 calendar year, the disposition of any surplus or deficit in excess of \$100 shown in the  
35 reports described in paragraph D must be reported as provided by this paragraph.  
36 The treasurer of a candidate with a surplus or deficit in excess of \$100 shall file  
37 reports semiannually with the commission within 15 days following the end of the  
38 2nd and 4th quarters of the State's fiscal year, complete as of the last day of the  
39 quarter, until the surplus is disposed of or the deficit is liquidated. The first report  
40 under this paragraph is not required until the 15th day of the period beginning at least  
41 90 days from the date of the election. The reports will be considered timely if filed  
42 electronically or in person with the commission on that date or postmarked on that

1 date. The reports must set forth any contributions for the purpose of liquidating the  
2 deficit, in the same manner as contributions are set forth in other reports required in  
3 this section.

4 F. Reports with respect to a candidate who seeks nomination by petition must be  
5 filed on the same dates that reports must be filed by a candidate for the same office  
6 who seeks that nomination by primary election.

7 **Sec. 2. 30-A MRSA §2502, sub-§1**, as amended by PL 1999, c. 645, §15, is  
8 further amended to read:

9 **1. Reports by candidates.** A candidate for municipal office of a town or city with a  
10 population of 15,000 or more is governed by Title 21-A, sections 1001 to 1020-A, ~~except~~  
11 ~~that notices of appointment of a treasurer and campaign reports must be filed with the~~  
12 ~~municipal clerk instead of the Commission on Governmental Ethics and Election~~  
13 ~~Practices.~~ A town or city with a population of less than 15,000 may choose to be  
14 governed by Title 21-A, sections 1001 to 1020-A by vote of its legislative body at least  
15 90 days before an election for office. A town or city that votes to adopt those provisions  
16 may revoke that decision, but it must do so at least 90 days before an election subject to  
17 those sections.

18 A. Notwithstanding Title 17-A, section 4-A, a candidate who fails to file a notice or  
19 report as required by this section is guilty of a Class E crime and may be punished by  
20 a fine of \$5 for every day the candidate is in default or by imprisonment for not more  
21 than 30 days, or both.

22 **SUMMARY**

23 This bill transfers jurisdiction of campaign finance reports for a candidate for  
24 municipal office of a town or city with a population of 15,000 or more from municipal  
25 clerks to the Commission on Governmental Ethics and Election Practices. Such  
26 municipal candidates will be required to follow the same procedures and guidelines as  
27 candidates for state or county office.