

MAINE STATE LEGISLATURE

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Date: 5-26-09

(Filing No. S-214)

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STATE OF MAINE

SENATE

124TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 445, L.D. 1197, Bill, "An Act To Improve the Maine Clean Election Act"

Amend the bill by striking out all of sections 2 and 3 and inserting the following:

Sec. 2. 21-A MRSA §1015, sub-§1, as amended by PL 2007, c. 443, Pt. A, §10, is further amended to read:

1. Individuals. An individual may not make contributions to a candidate in support of the candidacy of one person aggregating more than \$500 \$750 in any election for a gubernatorial candidate or more than \$250 \$350 in any election for any other candidate. This limitation does not apply to contributions in support of a candidate by that candidate or that candidate's spouse or domestic partner. Beginning December 1, 2010, contribution limits in accordance with this subsection are adjusted every 2 years based on the Consumer Price Index as reported by the United States Department of Labor, Bureau of Labor Statistics and rounded to the nearest amount divisible by \$25. The commission shall post the current contribution limit and the amount of the next adjustment and the date that it will become effective on its publicly accessible website and include this information with any publication to be used as a guide for candidates.

Sec. 3. 21-A MRSA §1015, sub-§2, as amended by PL 2007, c. 443, Pt. A, §11, is further amended to read:

2. Committees; corporations; associations. A political committee, political action committee, other committee, firm, partnership, corporation, association or organization may not make contributions to a candidate in support of the candidacy of one person aggregating more than \$500 \$750 in any election for a gubernatorial candidate or more than \$250 \$350 in any election for any other candidate. Beginning December 1, 2010, contribution limits in accordance with this subsection are adjusted every 2 years based on the Consumer Price Index as reported by the United States Department of Labor, Bureau of Labor Statistics and rounded to the nearest amount divisible by \$25. The commission shall post the current contribution limit and the amount of the next adjustment and the date that it will become effective on its publicly accessible website and include this information with any publication to be used as a guide for candidates.

COMMITTEE AMENDMENT

1 **Sec. 4. 21-A MRSA §1122, sub-§7, ¶A**, as amended by PL 2007, c. 443, Pt. B,
2 §2, is further amended to read:

3 A. Of \$5 or more in the form of a check or a money order payable to the fund, signed
4 by the contributor and made in support of a candidate;

5 **Sec. 5. 21-A MRSA §1122, sub-§8, ¶B**, as amended by PL 2001, c. 465, §3, is
6 further amended to read:

7 B. For State Senate or State House of Representatives participating candidates, the
8 qualifying period begins January 1st of the election year and ends at 5:00 p.m. on
9 April ~~15th~~ 20th of that election year ~~unless the candidate is unenrolled, in which case~~
10 ~~the period ends at 5:00 p.m. on June 2nd of the election year.~~

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

13 B. For a candidate for the State Senate, at least ~~150~~ 175 verified registered voters
14 from the candidate's electoral division must support the candidacy by providing a
15 qualifying contribution to that candidate; or

16 **Sec. 7. 21-A MRSA §1125, sub-§3, ¶C**, as enacted by IB 1995, c. 1, §17, is
17 amended to read:

18 C. For a candidate for the State House of Representatives, at least ~~50~~ 60 verified
19 registered voters from the candidate's electoral division must support the candidacy
20 by providing a qualifying contribution to that candidate.

21 **Sec. 8. 21-A MRSA §1125, sub-§8, ¶D**, as amended by PL 2003, c. 453, §1, is
22 further amended to read:

23 D. For uncontested legislative general elections, the amount of revenues to be
24 distributed from the fund is ~~40%~~ 33% of the amount distributed to a participating
25 candidate in a contested general election.'

26 Amend the bill by inserting at the end before the summary the following:

27 **'Sec. 5. Commission to adopt rules regarding general election**
28 **contributions during primary election cycle.** No later than December 1, 2009, the
29 Commission on Governmental Ethics and Election Practices shall adopt rules that
30 authorize candidates to accept contributions to be used for a general election campaign
31 during the primary election period. The rules must require that contributions be
32 segregated and declared as primary or general election contributions and that general
33 election campaign contributions may not be borrowed to support a primary election
34 campaign. Rules adopted in accordance with this section are routine technical rules as
35 defined in Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.'

36 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
37 section number to read consecutively.

SUMMARY

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This amendment strikes the provisions of the bill that propose to change the definition of "contribution" as it relates to assistance provided by party employees and the increase in the trigger from \$500 to \$1,000 that would require political action committees to file 24-hour reports. The amendment maintains the provision in the bill that expands the prohibition on certain campaign contributions from and solicitations of lobbyists as they apply to political action committees closely associated with a Legislator, Governor or constitutional officer. It also maintains the provision that requires more detailed information regarding payments made to political action committees by candidates participating in the Maine Clean Election Act. The amendment also increases the number of qualifying contributions required of legislative candidates to 175 for candidates for the Senate and to 60 for House candidates. It makes the qualifying period for legislative candidates seeking Maine Clean Election Act certification end on April 20th. It changes the distribution to unopposed legislative candidates in a general election from 40% to 33% of the distributions to candidates in a contested general election. Finally, this amendment raises the contribution limits in traditionally funded campaigns to \$750 for gubernatorial and \$350 for all other races. Beginning December 1, 2010 those contribution limits will be automatically adjusted every 2 years based on the Consumer Price Index and rounded to the nearest \$25. The amendment also requires the Commission on Governmental Ethics and Election Practices to adopt rules that will permit the collection of general election contributions during a primary election cycle.

FISCAL NOTE REQUIRED
(See attached)



124th MAINE LEGISLATURE

LD 1197

LR 1332(02)

An Act To Improve the Maine Clean Election Act

Fiscal Note for Bill as Amended by Committee Amendment "A"
 Committee: Legal and Veterans Affairs
 Fiscal Note Required: Yes

Fiscal Note

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
Revenue				
Other Special Revenue Funds	\$21,300	\$0	\$22,365	\$0

Fiscal Detail and Notes

This legislation increases the number of qualifying contributions required by a legislative candidate and would result in an increase in Other Special Revenue Funds revenue of \$21,300 in fiscal year 2009-10. The legislation also reduces the distribution amounts to uncontested candidates. However, as no uncontested races are anticipated in 2010, no savings are estimated.