

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 1494

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H.P. 1071

House of Representatives, May 2, 2013

### An Act To Alter the Distribution of Maine Clean Election Act Funds

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative CAREY of Lewiston.

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

2 **Sec. 1. 21-A MRSA §1125, sub-§3, ¶A**, as amended by PL 2007, c. 240, Pt. F,  
3 §1 and c. 443, Pt. B, §6, is further amended to read:

4 A. For a gubernatorial candidate, at least ~~3,250~~ 750 verified registered voters of this  
5 State must support the candidacy by providing a qualifying contribution to that  
6 candidate;

7 **Sec. 2. 21-A MRSA §1125, sub-§3, ¶B**, as amended by PL 2009, c. 286, §6, is  
8 further amended to read:

9 B. For a candidate for the State Senate, at least ~~175~~ 60 verified registered voters from  
10 the candidate's electoral division must support the candidacy by providing a  
11 qualifying contribution to that candidate; or

12 **Sec. 3. 21-A MRSA §1125, sub-§3, ¶C**, as amended by PL 2009, c. 286, §7, is  
13 further amended to read:

14 C. For a candidate for the State House of Representatives, at least ~~60~~ 25 verified  
15 registered voters from the candidate's electoral division must support the candidacy  
16 by providing a qualifying contribution to that candidate.

17 **Sec. 4. 21-A MRSA §1125, sub-§6**, as amended by PL 2011, c. 389, §54, is  
18 further amended to read:

19 **6. Restrictions on contributions and expenditures for certified candidates.** After  
20 certification, a candidate must limit the candidate's campaign expenditures and  
21 obligations, including outstanding obligations, to the revenues distributed to the candidate  
22 from the fund and, except as provided in subsection 6-F, may not accept any  
23 contributions unless specifically authorized by the commission. Candidates may also  
24 accept and spend interest earned on fund revenues in campaign bank accounts. All  
25 revenues distributed to a certified candidate from the fund must be used for campaign-  
26 related purposes. The candidate, the treasurer, the candidate's committee authorized  
27 pursuant to section 1013-A, subsection 1 or any agent of the candidate and committee  
28 may not use these revenues for any but campaign-related purposes. The commission  
29 shall publish guidelines outlining permissible campaign-related expenditures.

30 **Sec. 5. 21-A MRSA §1125, sub-§6-F** is enacted to read:

31 **6-F. Additional contributions authorized.** After certification pursuant to  
32 subsection 5, a candidate for Governor, the State Senate or the State House of  
33 Representatives may continue to collect contributions in the amount of \$5 from verified  
34 registered voters from the candidate's electoral division. A voter who provides a  
35 qualifying contribution during the qualifying period to a candidate in a contested primary  
36 election may, after the date of the primary election, provide an additional \$5 contribution  
37 to that candidate after certification pursuant to subsection 5.

38 **Sec. 6. 21-A MRSA §1125, sub-§8-A**, as amended by PL 2011, c. 558, §§6 and  
39 7, is further amended to read:

1           **8-A. Amount of fund distribution.** By September 1, ~~2011~~ 2015, and at least every  
2 2 years after that date, the commission shall determine the amount of funds to be  
3 distributed to participating candidates in legislative elections based on the type of election  
4 and office. In making this determination, the commission may take into consideration  
5 any relevant information, including but not limited to:

6           A. The range of campaign spending by candidates for that office in the ~~2~~ preceding  
7 ~~elections~~ election; and

8           B. The Consumer Price Index published monthly by the United States Department of  
9 Labor, Bureau of Labor Statistics and any other significant changes in the costs of  
10 campaigning such as postage or fuel.

11 Before making any determination, the commission shall provide notice of the  
12 determination and an opportunity to comment to the President of the Senate, the Speaker  
13 of the House of Representatives, all floor leaders, the members of the joint standing  
14 committee of the Legislature having jurisdiction over legal affairs and persons who have  
15 expressed interest in receiving notices of opportunities to comment on the commission's  
16 rules and policies. The commission shall present at a public meeting the basis for the  
17 commission's final determination.

18 For contested gubernatorial primary elections, the amount of revenues distributed is  
19 ~~\$400,000~~ \$200,000 per candidate in a primary election. For uncontested gubernatorial  
20 primary elections the amount of revenues distributed is ~~\$200,000~~ \$100,000. For  
21 contested and uncontested gubernatorial general elections, the amount of revenues  
22 distributed is ~~\$600,000~~ \$300,000 per candidate in the general election.

23           **Sec. 7. 21-A MRSA §1125, sub-§8-B** is enacted to read:

24           **8-B. Supplemental distributions.** The amount of funds distributed to candidates  
25 who collected additional contributions in accordance with subsection 6-F is as follows.

26           A. For contested primary elections for candidates for the State Senate or the State  
27 House of Representatives, the amount of the supplemental distribution of revenues is  
28 an amount equal to \$55 for each additional qualifying contribution collected in excess  
29 of those collected pursuant to subsection 3, paragraph B or C. The maximum overall  
30 amount of total distributions in a contested primary election is \$11,100 for a  
31 candidate for the State Senate and \$2,100 for a candidate for the State House of  
32 Representatives.

33           B. For contested general elections for the State Senate, the amount of the  
34 supplemental distribution of revenues is an amount equal to \$55 for each qualifying  
35 contribution collected in excess of those collected pursuant to subsection 3, paragraph  
36 B if that amount was not distributed pursuant to paragraph A, plus an amount equal to  
37 \$55 for each additional contribution collected pursuant to subsection 6-F up to a  
38 maximum overall distribution of \$36,200 per candidate in the general election.

39           C. For contested general elections for the State House of Representatives, the amount  
40 of the supplemental distribution of revenues is an amount equal to \$55 for each  
41 qualifying contribution collected in excess of those collected pursuant to subsection  
42 3, paragraph C if that amount was not distributed pursuant to paragraph A, plus an

1 amount equal to \$55 for each additional contribution collected pursuant to subsection  
2 6-F up to a maximum overall distribution of \$7,800 per candidate in the general  
3 election.

4 D. For uncontested legislative general elections, the amount of the supplemental  
5 distribution of revenues distributed to candidates for the State Senate or the State  
6 House of Representatives is \$22 for each qualifying contribution collected in excess  
7 of those collected pursuant to subsection 3, paragraph B or C up to a maximum  
8 overall distribution of \$12,000 for a candidate for the State Senate and a maximum  
9 overall distribution of \$2,600 for a candidate for the State House of Representatives.

10 E. For contested gubernatorial primary elections, the amount of the supplemental  
11 distribution of revenues is an amount equal to \$55 for each additional qualifying  
12 contribution collected in excess of those collected pursuant to subsection 3, paragraph  
13 A up to a maximum overall distribution of \$350,000 per candidate in the primary  
14 election.

15 F. For gubernatorial general elections, the amount of the supplemental distribution of  
16 revenues is an amount equal to \$55 for each qualifying contribution collected in  
17 excess of those collected pursuant to subsection 3, paragraph A if that amount was  
18 not distributed pursuant to paragraph E, plus an amount equal to \$55 for each  
19 additional contribution collected pursuant to subsection 6-F up to a maximum overall  
20 distribution of \$750,000 per candidate in the general election.

21 **Sec. 8. Distribution to legislative candidates for 2014 election cycle.** The  
22 Commission on Governmental Ethics and Election Practices shall set the amount of initial  
23 distributions for candidates for the State Senate and the State House of Representatives  
24 for the 2014 election cycle in an amount equal to 50% of the amount distributed to  
25 candidates in the 2012 election cycle. These initial distributions when considered with  
26 supplemental distributions made in accordance with the Maine Revised Statutes, Title  
27 21-A, section 1125, subsection 8-B must be used to determine the maximum total  
28 distributions to legislative candidates as prescribed by Title 21-A, section 1125.

29 **SUMMARY**

30 This bill decreases the number of qualifying contributions required for legislative and  
31 gubernatorial candidates to collect to become certified as Maine Clean Election Act  
32 candidates. It provides that candidates may continue to collect qualifying contributions in  
33 order to receive supplemental distributions from the Maine Clean Election Fund. The bill  
34 establishes a maximum amount of total distributions from the fund for all candidates.  
35 Finally, the bill establishes the amount of initial distributions for the 2014 election cycle.