

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 218

H.P. 181

House of Representatives, January 22, 2019

**An Act To Prohibit a Person from Collecting Contributions under
the Maine Clean Election Act at a Polling Place**

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative CAMPBELL of Orrington.
Cosponsored by Senator GRATWICK of Penobscot and
Representatives: DILLINGHAM of Oxford, FAY of Raymond, NADEAU of Winslow,
SKOLFIELD of Weld, STANLEY of Medway, STEWART of Presque Isle, Senators:
CYRWAY of Kennebec, WOODSOME of York.

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

2 **Sec. 1. 21-A MRSA §1125, sub-§2-A**, as amended by IB 2015, c. 1, §16, is
3 further amended to read:

4 **2-A. Seed money restrictions.** To be eligible for certification, a participating
5 candidate may collect and spend only seed money contributions subsequent to becoming
6 a candidate and prior to certification. A participating candidate may not solicit, accept or
7 collect seed money contributions after certification as a Maine Clean Election Act
8 candidate. A participating candidate may not solicit, accept or collect seed money
9 contributions within a voting place or on public property within 250 feet of the entrance
10 to the voting place.

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

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

24 C. Upon requesting certification, a participating candidate shall file a report of all
25 seed money contributions and expenditures. If the candidate is certified, any unspent
26 seed money will be deducted from the amount distributed to the candidate as
27 provided in subsection 8-F.

28 **Sec. 2. 21-A MRSA §1125, sub-§3**, as amended by IB 2015, c. 1, §18, is further
29 amended to read:

30 **3. Qualifying contributions.** Participating candidates must obtain qualifying
31 contributions during the qualifying period as follows:

32 A. For a gubernatorial candidate, at least 3,200 verified registered voters of this State
33 must support the candidacy by providing a qualifying contribution to that candidate;

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

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

1 A participating candidate may not solicit, accept or collect qualifying contributions within
2 a voting place or on public property within 250 feet of the entrance to the voting place. A
3 payment, gift or anything of value may not be given in exchange for a qualifying
4 contribution. A candidate may pay the fee for a money order that is a qualifying
5 contribution in the amount of \$5 as long as the donor making the qualifying contribution
6 pays the \$5 amount reflected on the money order. Any money order fees paid by a
7 participating candidate must be paid for with seed money and reported in accordance with
8 commission rules. A money order must be signed by the contributor to be a valid
9 qualifying contribution. The commission may establish by routine technical rule, adopted
10 in accordance with Title 5, chapter 375, subchapter 2-A, a procedure for a qualifying
11 contribution to be made by a credit or debit transaction and by electronic funds transfer
12 over the Internet. Records containing information provided by individuals who have
13 made qualifying contributions over the Internet are confidential, except for the name of
14 the individual making the contribution, the date of the contribution, the individual's
15 residential address and the name and office sought of the candidate in whose support the
16 contribution was made.

17 It is a violation of this chapter for a participating candidate or an agent of the participating
18 candidate to misrepresent the purpose of soliciting qualifying contributions and obtaining
19 the contributor's signed acknowledgement.

20 **SUMMARY**

21 This bill prohibits the solicitation, acceptance or collection by a participating
22 candidate under the Maine Clean Election Act of seed money contributions or qualifying
23 contributions within 250 feet of the entrance to a voting place as well as within the voting
24 place itself.