

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 1805

S.P. 730

In Senate, April 25, 2023

**An Act to Increase State Oversight of Election Funding by
Requiring Approval by the Legislature**

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator KEIM of Oxford.

Cosponsored by Senators: BRAKEY of Androscoggin, STEWART of Aroostook,
TIMBERLAKE of Androscoggin.

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

2 **Sec. 1. 21-A MRSA c. 9, sub-c. 7** is enacted to read:

3 **SUBCHAPTER 7**

4 **ELECTION FUNDING**

5 **§871. Legislative approval**

6 **1. Short title.** This section may be known and cited as "the State Oversight of Election
7 Funding Act of 2023."

8 **2. Definition.** As used in this section, "new federal election funds" means any federal
9 funds received on or after October 1, 2023 by a person, group or entity charged by the State
10 to administer an official election occurring within the State.

11 **3. Notice requirement.** A person, group or entity charged by the State to administer
12 an official election occurring within the State that intends to accept or disburse new federal
13 election funds shall provide notice to the Legislature of its intent to do so at least 30 days
14 before accepting or disbursing the funds.

15 **4. Prohibition on acceptance or disbursement of federal election funds without**
16 **state legislative approval.** New federal election funds must be approved by the Legislature
17 before they may be accepted or disbursed by a person, group or entity charged by the State
18 to administer an official election occurring within the State unless explicitly required by
19 state or federal law.

20 **5. Presumption of state legislative approval.** It is presumed for purposes of
21 compliance with this section that the Legislature has approved the acceptance and
22 disbursement of new federal election funds if the Legislature fails to vote on the issue
23 within 30 days from when notice is provided to the Legislature in accordance with
24 subsection 3.

25 **6. Construction.** This section may not be construed to pertain to funding that already
26 possesses an explicit state or federal legal requirement related to its acceptance and
27 disbursement as of October 1, 2023 or funding provided under the federal Help America
28 Vote Act of 2002.

29 **7. Penalties.** A person, group or entity that violates this section commits a civil
30 violation for which a fine in the amount of the new federal election funds accepted or
31 disbursed in violation of this section plus an additional \$1,000 may be adjudged.

32 **SUMMARY**

33 This bill requires that new federal election funds be approved by the Legislature before
34 they may be accepted or disbursed by a person, group or entity charged by the State to
35 administer an official election occurring within the State unless explicitly required by state
36 or federal law.