

MAINE STATE LEGISLATURE

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Date: 2/16/24 Majority

L.D. 1966
(Filing No. H- 753)

VETERANS AND LEGAL AFFAIRS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1263, L.D. 1966, "An Act to Allow Candidates for County Office to Participate in the Maine Clean Election Act"

Amend the bill by striking out the title and substituting the following:

'An Act to Allow Candidates for District Attorney to Participate in the Maine Clean Election Act'

Amend the bill in section 1 in subsection 1 in the 2nd line (page 1, line 5 in L.D.) by striking out the following: "county office" and inserting the following: 'district attorney'

Amend the bill in section 2 in subsection 5 in the 2nd line (page 1, line 11 in L.D.) by striking out the following: "county office" and inserting the following: 'district attorney'

Amend the bill in section 3 in subsection 6 in the 2nd line (page 1, line 17 in L.D.) by striking out the following: "county office" and inserting the following: 'district attorney'

Amend the bill in section 4 in paragraph B in the first line (page 1, line 22 in L.D.) by striking out the following: "county office" and inserting the following: 'district attorney'

Amend the bill in section 5 in §1123 in the indented paragraph in the 2nd and 3rd lines (page 1, lines 29 and 30 in L.D.) by striking out the following: "county office" and inserting the following: 'district attorney'

Amend the bill in section 6 in subsection 1 in the 3rd line (page 1, line 38 in L.D.) by striking out the following: "county office" and inserting the following: 'district attorney'

Amend the bill in section 7 in subsection 2-C in the 2nd line (page 2, line 4 in L.D.) by striking out the following: "county office" and inserting the following: 'district attorney'

Amend the bill in section 8 in the blocked paragraph in the 4th line (page 2, line 13 in L.D.) by striking out the following: "county office" and inserting the following: 'district attorney'

Amend the bill in section 9 in paragraph B in the first line (page 2, line 21 in L.D.) by striking out the following: "county office" and inserting the following: 'district attorney'

COMMITTEE AMENDMENT

1 Amend the bill in section 10 in paragraph B in the first line (page 2, line 27 in L.D.) by
 2 striking out the following: "county office" and inserting the following: 'district attorney'

3 Amend the bill in section 11 in subsection 8-F in the 3rd line (page 2, line 33 in L.D.)
 4 by striking out the following: "county" and inserting the following: 'district attorney'

5 Amend the bill in section 12 in subsection 10 in the 2nd line (page 3, line 4 in L.D.) by
 6 striking out the following: "county office" and inserting the following: 'district attorney'

7 Amend the bill by striking out all of section 13 and inserting the following:

8 '**Sec. 13. 21-A MRSA §1125, sub-§15** is enacted to read:

9 **15. Terms of participation for district attorney candidates.** The commission shall
 10 establish terms of participation for district attorney candidates that allow candidates to
 11 qualify and participate starting with the 2026 election cycle. The terms of participation
 12 established by the commission must set forth the seed money contribution limits, the
 13 number of qualifying contributions and distribution amounts and timing of distributions.
 14 When establishing the terms of participation, the commission shall consider the terms of
 15 participation for gubernatorial and legislative candidates set forth in this chapter, including
 16 an assessment of the difficulty of qualifying and distribution amounts available to
 17 participating House and Senate candidates and gubernatorial candidates relative to the
 18 population of House and Senate districts and the State. The commission shall also consider
 19 historical spending patterns for the various district attorney races in contested and
 20 uncontested primary and general elections, the population of the prosecutorial district, the
 21 recent historical competitiveness of district attorney candidates for the prosecutorial district
 22 and any other factors the commission determines to be consistent with the purposes of this
 23 chapter. The commission may establish different terms of participation that reasonably
 24 relate to differences in geographic area or population of prosecutorial districts within the
 25 State.'

26 Amend the bill by striking out all of section 14 and inserting the following:

27 '**Sec. 14. 21-A MRSA §1126**, as amended by PL 2023, c. 211, §5, is further
 28 amended to read:

29 **§1126. Commission to adopt rules**

30 The commission shall adopt rules to ensure effective administration of this chapter.
 31 These rules must include but may not be limited to procedures for obtaining qualifying
 32 contributions, certification as a Maine Clean Election Act candidate, circumstances
 33 involving special elections, recounts, collection of revenues for the fund, distribution of
 34 fund revenue to certified candidates, return of unspent fund disbursements, disposition of
 35 equipment purchased with clean election funds, terms of participation for district attorney
 36 candidates and compliance with the Maine Clean Election Act. Rules of the commission
 37 required by this section are major substantive rules as defined in Title 5, chapter 375,
 38 subchapter 2-A.'

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

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SUMMARY

This amendment changes the title of the bill and allows candidates for the office of district attorney to participate in the Maine Clean Election Act beginning with the 2026 election cycle.

FISCAL NOTE REQUIRED

(See attached)



131st MAINE LEGISLATURE

LD 1966

LR 1847(03)

An Act to Allow Candidates for County Office to Participate in the Maine Clean Election Act

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-753)
Committee: Veterans and Legal Affairs
Fiscal Note Required: Yes

Fiscal Note

Future biennium cost increase - Other Special Revenue Funds
Potential future biennium cost increase - General Fund

Fiscal Detail and Notes

This bill allows candidates for the office of district attorney to participate in the Maine Clean Elections program beginning in the 2026 election cycle. The Commission on Governmental Ethics and Election Practices has indicated that funding to these additional candidates will require additional expenditures from the Maine Clean Election Fund of \$25,500 in fiscal year 2025-26 and \$479,600 in fiscal year 2026-27. The Commission has also indicated an estimated one-time cost of \$5,000 in fiscal year 2025-26 to upgrade the electronic qualifying contributions system to incorporate the new candidates.

Increasing the number of potential candidates who use the Maine Clean Elections program may mean expenditures from the program will exceed what is available in the fund and additional legislation will be required to increase the annual transfer from the General Fund.