

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTIETH LEGISLATURE

FIRST SPECIAL SESSION
November 13, 2002 to November 14, 2002

ONE HUNDRED AND TWENTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 4, 2002 to June 14, 2003

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
FEBRUARY 13, 2003

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 13, 2003

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2003

3-A. Journeyman plumber. One of the members of the board must be a journeyman plumber, as defined in section 3301, who has been engaged in the business of plumbing for at least 2 years. This subsection takes effect June 19, 2005.

4. Local plumbing inspector. One of the members of the board must be a local plumbing inspector who has been engaged in plumbing inspections for at least 4 years and is employed by a municipality. This subsection takes effect June 19, 2005.

Members are appointed for terms of 4 years. Appointments of members must comply with section 60.

Any member of the board may be removed from office for cause by the Governor.

Sec. 2. PL 2003, c. 107, §2 is repealed.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

Licensing and Enforcement 0352

Initiative: Allocates funds for the per diem, travel and meeting costs associated with increasing the membership of the Plumbers' Examining Board by one member effective September 21, 2004.

Other Special Revenue Funds	2003-04	2004-05
Personal Services	\$0	\$245
All Other	0	350
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Other Special Revenue Funds Total	\$0	\$595

Sec. 4. Effective date. This Act takes effect September 21, 2004.

Effective September 21, 2004.

CHAPTER 447

H.P. 1134 - L.D. 1548

An Act To Amend the Election Laws

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

Sec. 1. 21-A MRSA §1, sub-§1-A is enacted to read:

1-A. Affidavit. "Affidavit" with respect to an absentee ballot envelope means the portion of the

envelope that includes the voter's signature, the aide certificate and the witness certificate.

Sec. 2. 21-A MRSA §1, sub-§7, as enacted by PL 1985, c. 161, §6, is amended to read:

7. Challenged ballot. "Challenged ballot" means a ballot cast by one whose eligibility to vote has been questioned during election day.

Sec. 3. 21-A MRSA §1, sub-§48-A is enacted to read:

48-A. Voting indicator. "Voting indicator" means the space provided for marking a vote in accordance with a particular type of ballot.

Sec. 4. 21-A MRSA §23, sub-§14, as amended by PL 1997, c. 436, §11, is further amended to read:

14. Destruction of records. After the records and other materials have been kept for the required period, they may be destroyed. Posted notices, sample ballots and instruction posters may be destroyed as soon as the election to which they pertain is past. Ballots must be destroyed using a method that makes the contents unreadable.

Sec. 5. 21-A MRSA §115, sub-§2, as amended by PL 1995, c. 459, §13, is further amended to read:

2. Voting restricted to district. In a municipality that has voting districts, a voter may, ~~except as provided in section 630,~~ vote using only the ballot or ballots for the district in which the voter resides on election day.

Sec. 6. 21-A MRSA §122, sub-§7, ¶A, as enacted by PL 1985, c. 307, §1, is amended to read:

A. The registrar shall, after finding an applicant qualified, issue a certificate ~~entitling~~ requiring the voter voter's name to be placed written on the original or any supplemental voting list at the voting place on election day. The certificate must be attached to, or included with, the voting list and sealed as provided in section 698. Only one certificate may be issued to any person recorded for any voter at an election; or

Sec. 7. 21-A MRSA §122, sub-§7, ¶B, as amended by PL 1997, c. 436, §23, is further amended to read:

B. The registrar shall, after finding the applicant qualified, ~~place the names of those voters on~~ add the voter's name to the voting list or on a supplemental voting list. Before the polls are opened, the registrar shall deliver the voting list and the supplemental list or lists to the clerk. The

inclusion of a person's name on these lists will entitle the applicant to vote on election day. All references in this Title to the use of the voting list before, during and after election day are considered to include the supplemental voting list or lists as provided in this paragraph.

Sec. 8. 21-A MRSA §307, sub-§3, as amended by PL 1999, c. 450, §11, is further amended to read:

3. Use established party's designation. Incorporate the designation or an abbreviation of the designation of a party that is qualified to participate in a primary or general election under section 301; ~~and~~

Sec. 9. 21-A MRSA §307, sub-§4, as enacted by PL 1999, c. 450, §12, is amended to read:

4. Use independent designation. Consist of the word "independent" without another descriptive word or words. The designation "independent," without another descriptive word or words, is reserved for use by candidates that are not enrolled in any qualified or proposed party; ~~and~~

Sec. 10. 21-A MRSA §307, sub-§5 is enacted to read:

5. Use obscene designation. Consist of or comprise language that is obscene or violates any other provision of the laws of this State with respect to names.

Sec. 11. 21-A MRSA §337, sub-§2, ¶D, as enacted by PL 1985, c. 161, §6, is amended to read:

D. A challenger or a candidate may appeal the decision of the Secretary of State by commencing an action in the Superior Court. This action ~~shall~~ must be conducted in accordance with the Maine Rules of Civil Procedure, Rule ~~80B~~ 80C, except as modified by this section. This action must be commenced within 5 days of the date of the decision of the Secretary of State and ~~shall~~ must be tried, without a jury, within 10 days of the date of that decision. Upon timely application, anyone may intervene in this action when the applicant claims an interest relating to the subject matter of the petitions, unless the applicant's interest is adequately represented by existing parties. The court shall issue a written decision containing its findings of fact and conclusions of law and setting forth the reasons for its decision within 20 days of the date of the decision of the Secretary of State.

Sec. 12. 21-A MRSA §354, sub-§1, as amended by PL 1997, c. 436, §50, is further amended to read:

1. Content. A nomination petition must contain the name of only one candidate, the candidate's place of residence, the office sought and electoral division. A nomination petition may contain as many separate papers as necessary and may contain the candidate's consent required by section 355. It may also contain the candidate's political designation, ~~which.~~ This designation may not exceed 3 words in length, ~~and~~ may not incorporate the candidate's name; or the designation or an abbreviation of the designation of a party that is qualified to nominate candidates by primary election and may not consist of or comprise language that is obscene or violates any other provision of the laws of this State with respect to names. A candidate who intends to form a new party about that person's candidacy must use the proposed party's designation.

A. When 2 United States Senators or 2 county commissioners are to be nominated, the nomination petition must contain the term of office sought by the candidate.

B. The names of presidential electors must be placed on the petition as a slate. The names of the candidates for President and Vice President must be placed on a petition for the nomination of presidential electors.

Sec. 13. 21-A MRSA §673, sub-§1, ¶A, as amended by PL 1997, c. 436, §96, is further amended to read:

A. Only the following reasons for challenges may be accepted by the warden. The challenged person:

- (1) Is not a registered voter;
- (2) Is not enrolled in the proper party, if voting in a primary election;
- (3) Is not qualified to be a registered voter because the challenged person is not:
 - (a) At least 18 years of age;
 - (b) A citizen of the United States; or
 - (c) A resident of the municipality or appropriate electoral district within the municipality;

(3-A) Registered to vote during the closed period or on election day and did not provide satisfactory proof of identity and residency to the registrar pursuant to section 121, subsection 1-A;

(4) Did not properly apply for an absentee ballot;

(6) Did not properly complete the affidavit on the absentee return envelope;

(7) Did not cast the ballot or complete the affidavit before the appropriate witness;

(8) Communicated with someone as prohibited by section 754-A, subsection 1, paragraph B or subsection 3, paragraph B or D;

(9) Did not have the ballot returned to the clerk by the time prescribed;

(10) Voted using the name of another;

(11) Committed any other specified violation of this Title; or

(12) Voted using the wrong ballot for the appropriate electoral district or political party, if applicable.

Sec. 14. 21-A MRSA §674, sub-§1, ¶B, as repealed and replaced by PL 1993, c. 473, §18 and affected by §46, is amended to read:

B. Interferes with a voter attempting to cast a vote ~~or interferes with or attempts to influence a voter in marking that voter's ballot;~~

Sec. 15. 21-A MRSA §674, sub-§1, ¶¶B-1 and B-2 are enacted to read:

B-1. Interferes with a voter in marking that voter's ballot;

B-2. Attempts to influence a voter in marking that voter's ballot;

Sec. 16. 21-A MRSA §674, sub-§2, ¶A, as repealed and replaced by PL 1993, c. 473, §18 and affected by §46, is amended to read:

A. Assists another person in voting, knowing that the other person is not eligible to vote; ~~or.~~

Sec. 17. 21-A MRSA §674, sub-§2, ¶B, as repealed and replaced by PL 1993, c. 473, §18 and affected by §46, is repealed.

Sec. 18. 21-A MRSA §674, sub-§3, ¶B, as enacted by PL 1993, c. 473, §18 and affected by §46, is amended to read:

B. Votes ~~or attempts to vote~~ knowing that the person is not eligible to do so ~~or having once voted, whether within or outside this State, again votes or attempts to vote at the same election; or~~

Sec. 19. 21-A MRSA §674, sub-§3, ¶¶B-1 to B-3 are enacted to read:

B-1. Attempts to vote knowing that the person is not eligible to do so;

B-2. Having once voted, whether within or outside this State, again votes at the same election;

B-3. Having once voted, whether within or outside this State, attempts to vote at the same election;

Sec. 20. 21-A MRSA §674, sub-§3, ¶C, as enacted by PL 1993, c. 473, §18 and affected by §46, is amended to read:

C. Votes ~~or attempts to vote~~ by using the name of another; ~~or~~

Sec. 21. 21-A MRSA §674, sub-§3, ¶D is enacted to read:

D. Attempts to vote by using the name of another.

Sec. 22. 21-A MRSA §682, as amended by PL 2001, c. 310, §37, is repealed and the following enacted in its place:

§682. Political activities

Certain activities are prohibited on election day.

1. Instruction limited. Within the voting place, a person may not instruct another in the method of marking the ballot, except as provided in section 672.

2. Influence prohibited. Within 250 feet of the entrance to the voting place as well as within the voting place itself, a person may not:

A. Influence another person's decision regarding a candidate or ballot issue; or

B. Attempt to influence another person's decision regarding a candidate or ballot issue.

These limitations do not prohibit a candidate from attending the voting place and orally communicating with voters as long as the candidate does not attempt to influence their vote. A candidate may not state the name of the office sought or request a person's vote.

2-A. Application. This subsection governs the application of subsection 2.

A. Subsection 2 does not apply to pollwatchers, who may remain in the voting place outside the guardrail enclosure as long as they do not attempt to influence voters or interfere with their free passage.

B. Subsection 2 does not prohibit media representatives from conducting an exit poll, as

long as they do not solicit voters until after the voters have voted and do not orally communicate with voters in a way that influences a voter's vote.

C. If a person attempts to influence voters or interfere with their free passage, the warden shall have that person removed from the voting place.

3. Advertising prohibited. A person may not display advertising material; operate an advertising medium, including a sound amplification device; or distribute campaign literature, posters, palm cards, buttons, badges or stickers containing a candidate's name or otherwise intending to influence the opinion of any voter within 250 feet of the entrance to either the voting place or the registrar's office. The term "sound amplification device" includes, but is not limited to, sound trucks, loudspeakers and blowhorns.

A. This subsection does not apply to advertising material on automobiles traveling to and from the voting place. It does not prohibit a person from passing out stickers at the voting place to be pasted on the ballot at a primary election. It does not prohibit a person who is at the polls solely for the purpose of voting from wearing a campaign button when the longest dimension of the button does not exceed 3 inches.

B. Nonpolitical charitable activities and other nonpolitical advertising may be allowed at the discretion of the clerk if arrangements are made prior to election day. If arrangements are not made in advance of the election day, the warden may, at the warden's discretion, either allow or prohibit nonpolitical charitable activities and other nonpolitical advertising.

4. Devices for audible communication. Party workers or others may not use cellular phones, voice pagers or similar devices to make audible voice communication within the voting place that is in violation of subsection 2.

5. Violation. A person who knowingly engages in activities prohibited by this section commits a Class E crime.

Sec. 23. 21-A MRSA §698, sub-§2-A, as amended by PL 2001, c. 310, §45, is further amended to read:

2-A. Used ballots placed in tamper-proof containers. The election clerks shall place the used state ballots, ~~envelopes containing challenge certificates, including~~ spoiled ballots, defective ballots, void ballots, used absentee ballots, used absentee envelopes with the applicable applications attached, envelopes containing challenge certificates, and the official tally tape from the electronic

tabulating system in one or more tamper-proof ballot containers. The ballot containers must be furnished by the Secretary of State. Ballots and election materials for municipal elections conducted at the same time as a state election must be sealed separately from state ballots and other state election materials. If municipalities wish to use tamper-proof containers to seal municipal election materials, they must obtain the containers and locks at their own expense.

If a state-supplied tamper-proof container or lock becomes defective, lost or destroyed, the clerk must apply in writing to the Secretary of State for another. The Secretary of State shall supply or approve a replacement at the expense of the municipality.

A tamper-proof ballot container must be locked and sealed with a numbered seal before leaving the precinct. The lock and seal numbers must correlate with a certificate identifying the person sealing the container and the time of the sealing. The locks, seals and identifying certificates must be furnished by the Secretary of State.

A. Transfer and resealing of the ballots to other containers for permanent storage must be done 60 or more days following the election. The municipal clerk shall make the transfer in the presence of one or more witnesses. The containers must be securely sealed.

Sec. 24. 21-A MRSA §698, sub-§6, as enacted by PL 1985, c. 161, §6, is amended to read:

6. Ballot security. The municipal clerk shall take appropriate ~~security~~ measures to ensure the safety and ~~protection~~ security of all ballots before, during and after the election. Ballots and voting equipment must be secured in an area that is accessible only by the clerk or the clerk's designee.

Sec. 25. 21-A MRSA §737-A, sub-§1, as amended by PL 1995, c. 459, §68, is further amended to read:

1. Deposit for recount. All deposits required by this section must be made with the Secretary of State when a recount is requested by a losing candidate. Once the State Police have taken custody of the ballots and other election materials from the municipalities, the deposit made by the candidate requesting the recount is forfeited to the State if the resulting count fails to change the outcome of the election. If the recount reverses the election, the deposit must be returned to the candidate requesting the recount. The amount of the deposit is calculated as follows.

A. If the percentage difference shown by the official tabulation between the leading candidate and the ~~2nd place~~ requesting candidate is 2% or

less of the total votes cast for that office, a deposit is not required.

B. If the percentage difference shown by the official tabulation between the leading candidate and the ~~2nd place~~ requesting candidate is more than 2% and less than or equal to 4% of the total votes cast for that office, the deposit is \$500.

C. If the percentage difference shown by the official tabulation between the leading candidate and the ~~2nd place~~ requesting candidate is more than 4% or more and less than or equal to 6% of the total votes cast for that office, the deposit is \$1,000.

D. If the percentage difference shown by the official tabulation between the leading candidate and the requesting candidate is more than 6% and less than or equal to 8% of the total votes cast for that office, the deposit is \$2,500.

E. If the percentage difference shown by the official tabulation between the leading candidate and the requesting candidate is more than 8% and less than or equal to 10% of the total votes cast for that office, the deposit is \$5,000.

F. If the percentage difference shown by the official tabulation between the leading candidate and the requesting candidate is more than 10% of the total votes cast for that office, the deposit is \$10,000.

Sec. 26. 21-A MRSA §737-A, sub-§4, as enacted by PL 1993, c. 473, §31 and affected by §46, is amended to read:

4. Time of recount and designated recount candidates. The recount must be held as soon as reasonably possible at a time and place that affords the designated recount candidates a reasonable opportunity to be present. For purposes of this section, "the designated recount candidates" means the leading candidate and each candidate who has requested a recount and paid the applicable fee in accordance with this section. The recount involves a new count of the results for the designated recount candidates only. Once a candidate has requested a recount, the other candidates for that elective office must be notified of the request as soon as possible. Candidates for that elective office whose vote totals fall between the totals of the leading candidate and the requesting candidate must be provided with an opportunity to be included in the recount as a designated recount candidate by making a written request to join the recount and paying the applicable fee, either within 5 business days after the election or, if the recount request is made on the last day of that period, by the close of business on the next business day. Candidates for that elective office other than the

designated recount candidates may be present to observe the recount but are not included in the recount, and their vote totals remain as indicated in the official results reported by the municipalities.

Sec. 27. 21-A MRSA §737-A, sub-§9, as enacted by PL 1993, c. 473, §31 and affected by §46, is amended to read:

9. Package resealed and marked. After a recount, the Secretary of State shall reseal the packages of ballots and incoming voting lists, noting the fact and date of the recount on the packages. All challenged and disputed ballots must be packaged separately. The challenged and disputed ballots must be kept until released to the court or to the Senate or the House of Representatives, if applicable, in case of an appeal.

Sec. 28. 21-A MRSA §753-A, sub-§3, ~~¶¶A, B and C~~ are enacted to read:

A. An application or a written request for an absentee ballot must be accepted by the clerk if it contains the following information:

- (1) The voter's name;
- (2) The voter's residence address or other address sufficient to identify the voter;
- (3) The signature of the voter or the voter's immediate family member who is making the application or written request. If an immediate family member is either making the application or written request or is designated in the application or written request to deliver or return the ballot to the voter, then the family relationship to the voter must also be provided; and
- (4) If applicable, a different address to which the applicant requests the ballot be sent or delivered.

B. If the voter needs assistance pursuant to subsection 5, then in addition to the information required in paragraph A, the following information must be provided in order for the application or written request to be accepted by the clerk:

- (1) The printed name and signature of the person who helped the voter; and
- (2) A statement that the aide helped the voter by either reading or signing the application, or both.

C. If the voter wishes to have the ballot delivered or returned by a 3rd person, then in

addition to the information required in paragraph A, the following information must be provided in order for the application or written request to be accepted by the clerk:

(1) The name of the 3rd person whom the voter has designated. A 3rd person may only be designated in an application or written request that is signed by the voter.

Sec. 29. 21-A MRSA §753-A, sub-§4, as enacted by PL 1999, c. 645, §6, is amended to read:

4. Application by telephone. A voter may make a telephone ~~request~~ application for the voter's own ballot. In this case, the voter may not designate an immediate family member or a 3rd person to deliver the ballot on the voter's behalf. The clerk shall ask the voter for the information required ~~on the application~~ and complete the application, with the exception of the voter's signature, and shall write "telephone request" on the application. The clerk shall also obtain the voter's birth date and write it on the application. The clerk shall verify that it is the voter who is requesting the ballot by ~~making the voter confirm~~ confirming the voter's residence address and birth date on the voting list with the information in the voter's record. A telephone application must be accepted by the clerk if it contains the voter's name, the voter's date of birth, the voter's residence address or other address sufficient to identify the voter and, if applicable, a different address to which the applicant requests the ballot be sent or delivered.

Sec. 30. 21-A MRSA §753-B, sub-§1, as enacted by PL 1999, c. 645, §6, is amended to read:

1. Application or written request received. Upon receipt of ~~a completed an~~ an application ~~or a~~ or telephone application for an absentee ballot ~~signed by the voter or an immediate family member that is accepted pursuant to section 753-A,~~ the clerk shall immediately issue an absentee ballot and return envelope by mail or in person to the applicant or to the immediate family member or to a 3rd person designated in a written application or request made by the voter. ~~Upon completion of a telephone request, the clerk shall issue an absentee ballot by mail or in person to the voter at the address requested by the voter.~~ The clerk shall type or write in ink the name and the legal residence address of the voter in the designated section of the return envelope.

Sec. 31. 21-A MRSA §753-B, sub-§4, as amended by PL 2001, c. 310, §53, is further amended to read:

4. Duplicate application. ~~If the clerk receives a duplicate application or request from a person from whom the clerk has received a return envelope apparently containing a statewide absentee ballot, the~~

~~clerk may not furnish another statewide absentee ballot for that person.~~ The clerk may issue a 2nd statewide state absentee ballot to an applicant if the applicant requests one by an acceptable method outlined in this subchapter and:

A. The applicant states good cause, including, but not limited to, loss of, spoiling of or damage to the first absentee ballot; or

B. An absentee ballot for the applicant that was furnished to a designated 3rd person ~~is~~ was not returned to the clerk's office within the time limit provided in subsection 3. If a ballot for an applicant is not returned to the clerk within that time limit, the clerk shall mail or hand deliver a ballot to that applicant and may not issue another ballot to the applicant except for good cause as provided in this subsection. This paragraph does not affect the ~~time~~ deadline for delivery of absentee ballots under section 755.

The clerk may also issue a 2nd state absentee ballot to a voter from whom the clerk has received a return envelope apparently containing a state absentee ballot when the State has provided the clerk with replacement ballots to reflect the removal of a candidate's name or the addition of a new candidate's name or the correction of an error. When a 2nd state absentee ballot is issued to a voter under this section, the clerk must write the words "second ballot issued" on the return envelope.

Sec. 32. 21-A MRSA §756, sub-§5, as amended by PL 2001, c. 310, §56, is further amended to read:

5. Envelopes and lists delivered. On election day, the clerk shall deliver or have delivered the return envelopes prescribed by section 752, subsection 3, with the applications, when required, attached and a copy of the list required by section 753-B, subsection 6, to the warden of the voting district in which the voter is registered, except in those municipalities where the ~~municipal officers have authorized the clerk to process or the clerk's designee processes the~~ absentee ballots centrally. ~~If more than one return envelope is received from the same voter, the clerk shall deliver or have delivered to the warden for counting only the return envelope bearing the earliest date and time.~~ In those municipalities where the absentee ballots are processed centrally, the clerk shall deliver or have delivered the materials described in this subsection to the person authorized by the clerk to process absentee ballots at the designated central location. After processing the absentee ballots, the warden or the clerk shall attach the copy of the list of absentee voters to the incoming voting list and seal it as provided in section 698.

~~This subsection does not apply to municipalities with 2 or more voting precincts where absentee ballots are counted at a place other than the voting district.~~

Sec. 33. 21-A MRSA §756, sub-§6 is enacted to read:

6. Procedure when duplicate envelopes received from same voter. If more than one return envelope is received from the same voter who was authorized to receive a 2nd state absentee ballot pursuant to section 753-B, then the clerk or warden shall process and count the ballot from the envelope marked "second ballot issued" or bearing the latest date and time and shall reject and keep sealed the first absentee envelope. If more than one return envelope is received from the same voter who was not authorized to receive a 2nd state absentee ballot pursuant to section 753-B, then the clerk or warden shall process and count the ballot from the envelope bearing the earliest date and time. If only one return envelope is received from a voter who was authorized to receive a 2nd state absentee ballot pursuant to section 753-B, then the clerk or warden shall process and count that ballot for all offices or questions for which the voter was entitled to vote.

Sec. 34. 21-A MRSA §829, as amended by PL 1993, c. 473, §39 and affected by §46, is repealed and the following enacted in its place:

§829. Violation and penalty

1. Altering voting machine. A person may not alter, adjust, operate, move, unlock or unseal a voting machine or any part of a voting machine with the intent of changing the outcome of any election.

2. Attempting to alter voting machine. A person may not attempt to alter, adjust, operate, move, unlock or unseal a voting machine or any part of a voting machine with the intent of changing the outcome of an election.

3. Penalty. A person who violates this section commits a Class B crime.

Sec. 35. 21-A MRSA §860, as amended by PL 1995, c. 459, §112, is repealed and the following enacted in its place:

§860. Violation and penalty

1. Tampering with voting device. Before, during or after an election, a person may not intentionally or knowingly:

A. Tamper with or injure a voting device, ballot or other record or equipment used in the election or interfere with the correct operation of such a device or equipment or the secrecy of voting; or

B. Attempt to interfere with the correct operation of a voting device or equipment or the secrecy of voting.

2. Penalty. A person who violates subsection 1 commits a Class B crime.

Sec. 36. 21-A MRSA §1004, sub-§2, as amended by PL 1989, c. 504, §§2 and 31, is further amended to read:

2. False statements. ~~No~~ A person, candidate, treasurer or political action committee may not make a false statement in ~~any~~ a report required by this chapter.

Sec. 37. 21-A MRSA §1004, sub-§3, as enacted by PL 1985, c. 161, §6, is repealed and the following enacted in its place:

3. Contributions in another's name. A person may not knowingly:

A. Make a contribution in the name of another person;

B. Permit the person's name to be used to accomplish a contribution in violation of paragraph A; or

C. Accept a contribution made by one person in the name of another person.

Sec. 38. 21-A MRSA §1004, sub-§4, as enacted by PL 1985, c. 161, §6, is amended to read:

4. Registration; political action committees. ~~No~~ A political action committee required to be registered under section 1053 may not operate in this State unless it is so registered.

See title page for effective date.

CHAPTER 448

S.P. 402 - L.D. 1196

An Act To Clarify the Definition of Independent Expenditures Under the Election Laws

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

Sec. 1. 21-A MRSA §1014-B, sub-§2, ¶D, as enacted by PL 2001, c. 416, §1, is amended to read:

D. If the call is an independent expenditure, as defined in section ~~4019~~ 1019-B, that a candidate has not approved the call must be disclosed during each call.