# Summary of Provisionally Adopted Rule Changes to Ethics Commission Rules (presentation to VLA Committee, May 22, 2013)

# **Existing Rule on Post-Election Expenses**

Imposes a maximum on the amount of Maine Clean Election Act funds candidates may spend, after an election, on

- post-election parties,
- advertising to thank supporters or voters, or
- thank you notes

## **Provisionally Adopted Changes**

Maine Clean Election Act Funds could not be used for a thank-you gift. Candidates may use personal funds for this purpose.

(This policy has been in effect through the Commission's guidelines.)

Winner of primary election

- may not use MCEA funds on post-election party to thank volunteers
- may use MCE Funds on post-election advertising to thank voters or supporters, or for thank you notes

#### 94-270 COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES

#### Chapter 3: MAINE CLEAN ELECTION ACT AND RELATED PROVISIONS

## SECTION 6. LIMITATIONS ON CAMPAIGN EXPENSES

## A certified candidate must:

- 1. limit the candidate's campaign expenditures and obligations to the applicable Clean Election Act Fund distribution amounts:
- 2. not accept any contributions unless specifically authorized in writing to do so by the Commission in accordance with the Act [§1125(2) and §1125(13)];
- 3. use revenues distributed from the Fund only for campaign-related purposes as outlined in guidelines published by the Commission, and not for personal or any other use;
- 4. not use revenues distributed from the Fund to purchase goods to sell for profit;
- 5. not spend more than the following amounts of Fund revenues on post-election parties, thank you notes, or advertising to thank supporters or voters after the candidate's final election during the election year:
  - A. \$250 for a candidate for the State House of Representatives;
  - В. \$750 for a candidate for the State Senate; and
  - C. \$2,500 by a gubernatorial candidate.

A candidate who has won a primary election may not use Fund revenues on a postprimary election party to thank voters, supporters or volunteers, but may use Fund revenues in the amounts above on advertising to thank supporters or voters or thank you notes.

A candidate may not use Fund revenues to make a thank-you gift (including a gift card) to a volunteer or supporter. The candidate may also use his or her the candidate's personal funds for any of these purposes above set out in this subsection; and

6. not use revenues distributed from the Fund for the payment of fines, forfeitures, or civil penalties, or for the defense of any enforcement action of the Commission.