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Public Law
124th Legislature
First Regular Session

Chapter 286
S.P. 445 - L.D. 1197

An Act To Improve the Maine Clean Election Act

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

Sec. 1. 1 MRSA §1015, sub-§3, ¶B, as amended by PL 2005, c. 301, §3, is further amended to read:

B. The Governor, a member of the Legislature or any constitutional officer or the staff or agent of the Governor, a member of the Legislature or any constitutional officer may not intentionally solicit or accept a contribution from a lobbyist, lobbyist associate or employer during any period of time in which the Legislature is convened before final adjournment, except for a qualifying contribution as defined under Title 21-A, section 1122, subsection 7. A lobbyist, lobbyist associate or employer may not intentionally give, offer or promise a contribution, other than a qualifying contribution, to the Governor, a member of the Legislature or any constitutional officer or the staff or agent of the Governor, a member of the Legislature or any constitutional officer during any time in which the Legislature is convened before final adjournment. These prohibitions apply to ~~direct and indirect solicitation, acceptance, giving, offering and promising, whether through a political action committee, political committee, political party or otherwise~~ contributions directly and indirectly solicited or accepted by, or given, offered and promised to a political action committee, ballot question committee or party committee of which the Governor, a member of the Legislature, a constitutional officer or the staff or agent of these officials is a treasurer, officer or primary fundraiser or decision maker.

Sec. 2. 21-A MRSA §1015, sub-§1, as amended by PL 2007, c. 443, Pt. A, §10, is further amended to read:

1. Individuals. An individual may not make contributions to a candidate in support of the candidacy of one person aggregating more than ~~\$500~~ \$750 in any election for a gubernatorial candidate or more than ~~\$250~~ \$350 in any election for any other candidate. This limitation does not apply to contributions in support of a candidate by that candidate or that candidate's spouse or domestic partner. Beginning December 1, 2010, contribution limits in accordance with this subsection are adjusted every 2 years based on the Consumer Price Index as reported by the United States Department of Labor, Bureau of Labor Statistics and rounded to the nearest amount divisible by \$25. The commission shall post the current contribution limit and the amount of the next adjustment and the date that it will become effective on its publicly accessible website and include this information with any publication to be used as a guide for candidates.

Sec. 3. 21-A MRSA §1015, sub-§2, as amended by PL 2007, c. 443, Pt. A, §11, is further amended to read:

2. Committees; corporations; associations. A political committee, political action committee, other committee, firm, partnership, corporation, association or organization may not make contributions to a candidate in support of the candidacy of one person aggregating more than \$500 \$750 in any election for a gubernatorial candidate or more than \$250 \$350 in any election for any other candidate. Beginning December 1, 2010, contribution limits in accordance with this subsection are adjusted every 2 years based on the Consumer Price Index as reported by the United States Department of Labor, Bureau of Labor Statistics and rounded to the nearest amount divisible by \$25. The commission shall post the current contribution limit and the amount of the next adjustment and the date that it will become effective on its publicly accessible website and include this information with any publication to be used as a guide for candidates.

Sec. 4. 21-A MRSA §1122, sub-§7, ¶A, as amended by PL 2009, c. 190, Pt. B, §1, is further amended to read:

A. Of \$5 or more in the form of a check or a money order payable to the fund and signed by the contributor in support of a candidate or made over the Internet in support of a candidate according to the procedure established by the commission;

Sec. 5. 21-A MRSA §1122, sub-§8, ¶B, as amended by PL 2001, c. 465, §3, is further amended to read:

B. For State Senate or State House of Representatives participating candidates, the qualifying period begins January 1st of the election year and ends at 5:00 p.m. on April ~~15th~~ 20th of that election year ~~unless the candidate is unenrolled, in which case the period ends at 5:00 p.m. on June 2nd of the election year or the next business day following April 20th if the office of the commission is closed on April 20th.~~

Sec. 6. 21-A MRSA §1125, sub-§3, ¶B, as enacted by IB 1995, c. 1, §17, is amended to read:

B. For a candidate for the State Senate, at least ~~150~~ 175 verified registered voters from the candidate's electoral division must support the candidacy by providing a qualifying contribution to that candidate; or

Sec. 7. 21-A MRSA §1125, sub-§3, ¶C, as enacted by IB 1995, c. 1, §17, is amended to read:

C. For a candidate for the State House of Representatives, at least ~~50~~ 60 verified registered voters from the candidate's electoral division must support the candidacy by providing a qualifying contribution to that candidate.

Sec. 8. 21-A MRSA §1125, sub-§8, ¶D, as amended by PL 2003, c. 453, §1, is further amended to read:

D. For uncontested legislative general elections, the amount of revenues to be distributed from the fund is ~~40%~~ 33% of the amount distributed to a participating candidate in a contested general election.

Sec. 9. 21-A MRSA §1125, sub-§12-C is enacted to read:

12-C. Payments to political committees. If a certified candidate makes a payment of fund revenues to a political action committee or party committee, the candidate shall include in reports required under this section a detailed explanation of the goods or services purchased according to forms and procedures developed by the commission that is sufficient to demonstrate that the payment was made solely to promote the candidate's election.

Sec. 10. Commission to adopt rules regarding general election contributions during primary election cycle. No later than December 1, 2009, the Commission on Governmental Ethics and Election Practices shall adopt rules that authorize candidates to accept contributions to be used for a general election campaign during the primary election period. The rules must require that contributions be segregated and declared as primary or general election contributions and that general election campaign contributions may not be borrowed to support a primary election campaign. Rules adopted in accordance with this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

Effective September 12, 2009