



# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 1211

S.P. 405

In Senate, March 28, 2017

### **An Act To Amend the Laws Governing Legislative Political Action Committees**

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator CHIPMAN of Cumberland.

Cosponsored by Senators: CHENETTE of York, MAKER of Washington, Representatives:  
ACKLEY of Monmouth, CASÁS of Rockport, HANINGTON of Lincoln, MONAGHAN of  
Cape Elizabeth.

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

2 **Sec. 1. 21-A MRSA §1006** is enacted to read:

3 **§1006. Participation in political action committees by legislative candidates**

4 **1. Establishing a political action committee prohibited.** A legislative candidate  
5 may not establish a political action committee for which the candidate is a treasurer or  
6 principal officer or for which the candidate is primarily responsible for fund-raising or  
7 decision making. This prohibition applies between April 1st immediately preceding a  
8 general election through:

9 A. The date on which the candidate withdraws from a race;

10 B. The date of the primary election or general election for a candidate who loses  
11 either election; or

12 C. January 1st immediately preceding the next general election for a candidate who  
13 wins the general election.

14 This prohibition also applies to a legislative candidate in a special election, except that  
15 the prohibition begins on the date of the candidate's nomination. This subsection does not  
16 prohibit a legislative candidate, including a legislative candidate who wins a general or  
17 special election, from engaging in fund-raising or decision making for a party caucus  
18 political action committee, a ballot question committee or a political action committee  
19 formed for the purpose of promoting or opposing a ballot question. This prohibition  
20 applies to a legislative candidate regardless of the date on which the political action  
21 committee was established.

22 **Sec. 2. 21-A MRSA §1125, sub-§6-F,** as enacted by PL 2015, c. 116, §1 and  
23 affected by §2, is amended to read:

24 **6-F. Gubernatorial candidate participation in political action committees.** A  
25 participating gubernatorial candidate or a certified gubernatorial candidate may not  
26 establish a political action committee for which the gubernatorial candidate is a treasurer  
27 or principal officer or for which the gubernatorial candidate is primarily responsible for  
28 fund-raising or decision making. This prohibition applies between April 1st immediately  
29 preceding a general election through:

30 A. The date on which the gubernatorial candidate withdraws from a race;

31 B. The date of the primary election or general election for a gubernatorial candidate  
32 who loses either election; or

33 C. January 1st immediately preceding the next general election for a gubernatorial  
34 candidate who wins the general election.

35 This prohibition also applies to a participating gubernatorial candidate or certified  
36 gubernatorial candidate in a special election, except that the prohibition begins on the  
37 date of the candidate's nomination. This subsection does not prohibit a participating  
38 gubernatorial candidate or certified gubernatorial candidate, including a certified  
39 gubernatorial candidate who wins a general or special election, from engaging in

1 fund-raising or decision making for a party caucus political action committee, a ballot  
2 question committee or a political action committee formed for the purpose of promoting  
3 or opposing a ballot question. This prohibition applies to a participating gubernatorial  
4 candidate or certified gubernatorial candidate regardless of the date on which the political  
5 action committee was established.

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### SUMMARY

7 This bill prohibits a legislative candidate from establishing political action  
8 committees for which the candidate is a treasurer or principal officer or for which the  
9 candidate is primarily responsible for fund-raising or decision making. The bill also  
10 makes a change to a provision under the Maine Clean Election Act, which includes the  
11 same prohibition, to clarify that the prohibition in that Act applies only to participating  
12 gubernatorial candidates and certified gubernatorial candidates.