

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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 §1012, sub-§2, ¶B, as amended by PL 2007, c. 443, Pt. A, §3, is further amended to read:

B. Does not include:

- (1) The value of services provided without compensation by individuals who volunteer a portion or all of their time on behalf of a candidate or political committee;
- (2) The use of real or personal property and the cost of invitations, food and beverages, voluntarily provided by an individual to a candidate in rendering voluntary personal services for candidate-related activities, if the cumulative value of these activities by the individual on behalf of any candidate does not exceed \$100 with respect to any election;
- (3) The sale of any food or beverage by a vendor for use in a candidate's campaign at a charge less than the normal comparable charge, if the charge to the candidate is at least equal to the cost of the food or beverages to the vendor and if the cumulative value of the food or beverages does not exceed \$100 with respect to any election;

- (4) Any unreimbursed travel expenses incurred and paid for by an individual who volunteers personal services to a candidate, if the cumulative amount of these expenses does not exceed \$100 with respect to any election;

- (4-A) Any unreimbursed campaign-related travel expenses incurred and paid for by the candidate or the candidate's spouse or domestic partner;

- (5) The payment by a party's state, district, county or municipal committee of the costs of preparation, display or mailing or other distribution of a party candidate listing;

- (6) Documents, in printed or electronic form, including party platforms, single copies of issue papers, information pertaining to the requirements of this Title, lists of registered voters and voter identification information, created, obtained or maintained by a political party for the general purpose of party building and provided to a candidate who is a member of that party;

- (7) Compensation paid by a state party committee to its employees for the following purposes:
 - (a) Providing no more than a total of 40 hours of assistance from ~~its employees~~an employee to a candidate in any election;

 - (b) Recruiting and overseeing volunteers for campaign activities involving 3 or more candidates; or

 - (c) Coordinating campaign events involving 3 or more candidates;

- (8) Campaign training sessions provided to 3 or more candidates;

- (8-A) Costs paid for by a party committee in connection with a campaign event at which 3 or more candidates are present;

- (8-B) Wood or other materials used for political signs that are found or contributed if not originally obtained by the candidate or contributor for campaign purposes;

- (8-C) The use or distribution of any communication, as described in section 1014, obtained by the candidate for a previous election and fully paid for during that election;

(9) The use of offices, telephones, computers and similar equipment when that use does not result in additional cost to the provider; or

(10) Activity or communication designed to encourage individuals to register to vote or to vote if that activity or communication does not mention a clearly identified candidate.

Sec. 3. 21-A MRSA §1059, sub-§2, ¶E, as amended by PL 2007, c. 443, Pt. A, §35, is further amended to read:

E. A committee shall report any expenditure of ~~\$500~~\$1,000 or more made after the 14th day before the election and more than 24 hours before 5:00 p.m. on the day of the election within 24 hours of that expenditure.

Sec. 4. 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.

SUMMARY

This bill makes several changes to the laws governing clean elections and governmental ethics.

The bill amends the laws governing legislative ethics by expanding upon the prohibitions on certain campaign contributions from and solicitations of lobbyists, lobbyist associates or employers. It clarifies that the prohibitions apply to contributions to a political action committee closely associated with a Legislator, Governor or constitutional officer.

The bill amends the definition of "contribution" under the campaign reporting laws to clarify that the 40-hour limitation applies to individual employees' contributions and not to the state party committee as a whole.

The bill amends the reporting requirements for political action committees found in the Maine Revised Statutes, Title 21-A, section 1059 to equalize the aggregate dollar threshold of their reporting requirements for contributions made within the final 2 weeks of an election with the aggregate threshold for candidates, found in Title 21-A, section 1017, subsection 3, paragraph C.

The bill requires a certified Maine Clean Election Act candidate to provide explanations of payments made to political committees to the Commission on Governmental Ethics and Election Practices to ensure that payments are made solely to promote that candidate's election.