

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 Ensure Compliance with the Laws Governing Elections

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

Sec. 1. 21-A MRSA §1003, sub-§1, as amended by PL 2011, c. 389, §3, is further amended to read:

1. Investigations. ~~The commission may undertake audits and investigations to determine the facts concerning the registration of a candidate, treasurer, party committee, political action committee, ballot question committee or other political committee and contributions by or to and expenditures by a person, candidate, treasurer, party committee, political action committee, ballot question committee or other political committee whether a person has violated this chapter, chapter 14 or the rules of the commission. For this purpose, the commission may subpoena witnesses and records whether located within or without the State and take evidence under oath. A person or entity that fails to obey the lawful subpoena of the commission or to testify before it under oath must be punished by the Superior Court for contempt upon application by the Attorney General on behalf of the commission. The Attorney General may apply on behalf of the commission to the Superior Court or to a court of another state to enforce compliance with a subpoena issued to a nonresident person. Service of any subpoena issued by the commission may be accomplished by:~~

A. Delivering a duly executed copy of the notice to the person to be served or to a partner or to any officer or agent authorized by appointment or by law to receive service of process on behalf of that person;

B. Delivering a duly executed copy of the notice to the principal place of business in this State of the person to be served; or

C. Mailing by registered or certified mail a duly executed copy of the notice, addressed to the person to be served, to the person's principal place of business.

SUMMARY

This bill authorizes the Commission on Governmental Ethics and Election Practices to undertake audits and investigations to determine whether a person has violated the laws governing campaign reporting and finances, the Maine Clean Election Act or commission rules. The bill also authorizes the Attorney General to apply on behalf of the commission to enforce compliance with a subpoena issued to a nonresident person.