

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

Amend the resolve by striking out all of section 1 and inserting the following:

‘Sec. 1 Adoption. Resolved: That final adoption of portions of Chapter 3: Maine Clean Election Act and Related Provisions, a provisionally adopted major substantive rule of the Commission on Governmental Ethics and Election Practices that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A outside the legislative rule acceptance period, is authorized only if the following changes are made.

1. The rule must be amended in Section 2, subsection 4, paragraph J to specify that the presumption that a candidate has confirmed that the individuals collecting qualifying contributions have actually received the contributions from personal funds of the contributors applies only with regard to certification as a Maine Clean Election Act candidate and authorizing distributions from the Maine Clean Election Fund and not with regard to findings of violations for which subsequent financial penalties may be applied.

2. The rule must be amended in Section 2, subsection 4, paragraph M to specify that any compensation paid to a person authorized by a candidate to collect qualifying contributions must be limited to funds received by the candidate as seed money contributions.’

SUMMARY

This amendment authorizes final adoption of portions of Chapter 3: Maine Clean Election Act and Related Provisions, a provisionally adopted major substantive rule of the Commission on Governmental Ethics and Election Practices filed after the deadline, as long as certain changes are made. The amendment requires the rules to be changed to clarify that the presumption that a candidate has confirmed that a person whom the candidate has authorized to collect qualifying contributions on the candidate’s behalf applies only with regard to certification as a Maine Clean Election Act candidate and Maine Clean Election Fund distributions and not with regard to findings of violations for which subsequent financial penalties may be applied. The amendment also requires the rules to be changed to state that payments to persons authorized to collect qualifying contributions may be made using only seed money contributions received by the candidate.

FISCAL NOTE REQUIRED
(See attached)