



130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 664

H.P. 491

House of Representatives, March 3, 2021

**An Act To Strengthen the Integrity of the Maine Clean Election
Program**

(EMERGENCY)

Received by the Clerk of the House on March 1, 2021. Referred to the Committee on Veterans and Legal Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative COLLINGS of Portland.

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** this legislation needs to take effect before the expiration of the 90-day
4 period in order to provide its protections to the electoral process as soon as possible; and

5 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
6 the meaning of the Constitution of Maine and require the following legislation as
7 immediately necessary for the preservation of the public peace, health and safety; now,
8 therefore,

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

10 **Sec. 1. 21-A MRSA §1125, sub-§6-G** is enacted to read:

11 **6-G. Mandatory referral.** If the executive director of the commission or a member
12 of the commission staff suspects, based on evidence, that a candidate has submitted
13 fraudulent qualifying contributions or has falsified or misrepresented any qualifying
14 contributions, the executive director shall refer the matter to the commission for an
15 investigation or to the Attorney General for prosecution. This matter must be referred even
16 if a candidate withdraws as a participating candidate or as a Maine Clean Election Act
17 candidate.

18 **Emergency clause.** In view of the emergency cited in the preamble, this legislation
19 takes effect when approved.

20 **SUMMARY**

21 This bill requires the Executive Director of the Commission on Governmental Ethics
22 and Election Practices to refer a case of suspected fraudulent, falsified or misrepresented
23 qualifying contributions under the Maine Clean Election Act to the commission for an
24 investigation or to the Attorney General for prosecution. A case must be referred even if a
25 candidate withdraws as a participating candidate or as a Maine Clean Election Act
26 candidate.