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Date: (Filing No. H- )

**VETERANS AND LEGAL AFFAIRS**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
127TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 623, L.D. 904, Bill, “An Act To Increase Fairness in Campaign Financing”

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

**Sec. 1. 21-A MRSA §1004-A, sub-§2**, as enacted by PL 2003, c. 628, Pt. A, §1, is amended to read:

**2. Contribution in excess of limitations.** A person that accepts or makes a contribution that exceeds the limitations set out in section 1015, ~~subsections~~ subsection 1 and 2 may be assessed a penalty of no more than the amount by which the contribution exceeded the limitation.

**Sec. 2. 21-A MRSA §1015, sub-§1**, as amended by PL 2011, c. 382, §1, is further amended to read:

**1. Individuals; committees; corporations; associations; organizations.** An individual, political committee, political action committee, other committee, firm, partnership, corporation, association or organization may not make contributions to a candidate in support of the candidacy of one person aggregating more than \$1,500 in any election for a gubernatorial candidate, more than \$350 for a legislative candidate, more than \$350 for a candidate for municipal office and beginning January 1, 2012 more than \$750 for a candidate for municipal office or more than \$750 in any election for any other candidate. This limitation does not apply to contributions in support of a candidate by that candidate or that candidate's spouse or domestic partner. Beginning December 1, 2010, contribution limits in accordance with this subsection are adjusted every 2 years based on the Consumer Price Index as reported by the United States Department of Labor, Bureau of Labor Statistics and rounded to the nearest amount divisible by \$25. The commission shall post the current contribution limit and the amount of the next adjustment and the date that it will become effective on its publicly accessible website and include this information with any publication to be used as a guide for candidates.

**COMMITTEE AMENDMENT**

1           **Sec. 3. 21-A MRSA §1015, sub-§2**, as amended by PL 2011, c. 382, §2, is  
2 repealed.

3           **Sec. 4. 21-A MRSA §1015, sub-§2-A** is enacted to read:

4           **2-A. Contributions for a primary election; applicability to a general election.** A  
5 candidate seeking a party’s nomination by primary election may accept contributions  
6 designated for both the primary election and the general election up to the date of the  
7 primary election. Contributions received after the primary election and before the general  
8 election are considered to be designated for the general election. Contributions received  
9 that are designated for the primary election must be segregated from those received or  
10 designated for the general election. The candidate shall indicate the election to which  
11 each contribution applies in campaign finance reports required to be filed with the  
12 commission. Contributions received and designated for the primary election may  
13 subsequently be designated for the general election in accordance with paragraphs A and  
14 B.

15           A. If a candidate is seeking a party’s nomination by primary election and no other  
16 candidate for the same office has qualified for the primary by the deadline for  
17 submitting petitions prescribed by section 335, all contributions designated for the  
18 primary election that have not been spent as of the deadline are deemed to be  
19 contributions for the general election. The candidate shall indicate which of the  
20 candidate’s primary election contributions apply to the general election in campaign  
21 finance reports required to be filed with the commission. Such contributions are to be  
22 counted toward a donor’s contribution limit established in subsection 1 for the  
23 general election.

24           B. A candidate who wins an opposed primary election may carry forward any  
25 unspent contributions designated for the primary election to the general election or  
26 return the primary election contributions to the donors who contributed them, as long  
27 as no donor receives more than the amount that donor contributed. Unspent  
28 contributions designated for the primary election that have not been returned to the  
29 donors are deemed to be contributions for the general election. Such contributions  
30 are applied to the donor’s contribution limit established in subsection 1 for the  
31 general election. A candidate is considered opposed in a primary election when at  
32 least one other candidate for the same office has qualified for the primary election by  
33 petition under section 335.

34           C. If a candidate carries forward to the general election a contribution designated for  
35 the primary election, and that contribution when added to a contribution from the  
36 same donor for the general election exceeds the limit established in subsection 1, the  
37 candidate shall return to the donor an amount greater than or equal to the amount by  
38 which the contribution limit was exceeded.

39           D. A candidate may not spend funds received for the primary election for goods or  
40 services that primarily promote the candidate in the general election, such as advance  
41 purchases for research, advertising or staff.

42           **Sec. 5. 21-A MRSA §1015, sub-§3**, as amended by PL 2007, c. 443, Pt. A, §12,  
43 is repealed.

