

Rule-Making Fact Sheet

(5 MRSA §8057-A)

AGENCY: Commission on Governmental Ethics and Election Practices

NAME, ADDRESS, PHONE NUMBER, E-MAIL OF AGENCY CONTACT PERSON:

Lorrie Brann, Commission Assistant
Commission on Governmental Ethics and Election Practices,
135 State House Station, Augusta, ME 04333-0135
(207) 287-4179

CHAPTER NUMBER AND RULE TITLE:

94-270 Commission on Governmental Ethics and Election Practices
Chapter 1 – Procedures

STATUTORY AUTHORITY:

1 M.R.S.A. § 1003(1)

DATE, TIME AND PLACE OF PUBLIC HEARING:

Wednesday, August 10, 2016 @ 9:00 a.m.
Commission Office, 45 Memorial Circle, Second Floor, Augusta, Maine

COMMENT DEADLINE:

5:00 p.m., Monday, August 22, 2016

PRINCIPAL REASON(S) OR PURPOSE FOR PROPOSING THIS RULE:

Commission seeks better definition of house party exception in Maine campaign finance law

IS MATERIAL INCORPORATED BY REFERENCE IN THE RULE? ___ YES X NO

ANALYSIS AND EXPECTED OPERATION OF THE RULE:

The costs of food or beverages for a house party or other campaign event would not be a contribution if paid by individuals volunteering at the party or event (up to \$250 per election). The person providing the home or premises could pay up to \$250 for invitations.

BRIEF SUMMARY OF RELEVANT INFORMATION CONSIDERED DURING DEVELOPMENT OF THE RULE (including up to 3 primary sources relied upon)

Legislative history of house party exception; enforcement action concerning invitations.

ESTIMATED FISCAL IMPACT OF THE RULE:

The Commission anticipates that the rule amendment will not have a fiscal impact on municipalities and counties, and will not impose an economic burden on small businesses.

FOR EXISTING RULES WITH FISCAL IMPACT OF \$1 MILLION OR MORE, ALSO INCLUDE:

ECONOMIC IMPACT, WHETHER OR NOT QUANTIFIABLE IN MONETARY TERMS: N/A

INDIVIDUALS, MAJOR INTEREST GROUPS AND TYPES OF BUSINESSES AFFECTED AND HOW THEY WILL BE AFFECTED: N/A

BENEFITS OF THE RULE: N/A

Note: If necessary, additional pages may be used.

Notice of Agency Rule-making Proposal

AGENCY:

Commission on Governmental Ethics and Election Practices

CHAPTER NUMBER AND TITLE:

94-270 Commission on Governmental Ethics and Election Practices, Chapter 1 – Procedures

PROPOSED RULE NUMBER:

BRIEF SUMMARY:

The proposed rule amendment clarifies how the exception from the definitions of contribution (21-A M.R.S.A. § 1012(2)(B)(2)) will apply to the costs of food, beverages and invitations paid by volunteers in support of a candidate for state, county or municipal office (the “house party exception”).

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COMMENT DEADLINE:

5:00 p.m. on Monday, August 22, 2016

CONTACT PERSON FOR THIS FILING:

Lorrie Brann, Commission Assistant
Commission on Governmental Ethics and Election Practices,
135 State House Station, Augusta, ME 04333
(207) 287-4179

CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT: N/A

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: No impact

STATUTORY AUTHORITY FOR THIS RULE: 1 M.R.S.A § 1003(1)

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED: None

AGENCY WEBSITE: <http://www.maine.gov/ethics>

E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON: Lorrie.Brann@maine.gov

* Check one of the following two boxes.

The summary provided above is for publication in both the newspaper and website notices.

The summary provided above is for the newspaper notice only. Title 5 §8053, sub-§5 & sub-§7, ¶D. A more detailed summary is attached for inclusion in the rule-making notice posted on the Secretary of State’s website. Title 5 §8053, sub-§3, ¶D & sub-§6.

APPROVED FOR PAYMENT: _____ DATE: _____
(authorized signature)

FUND	AGENCY	ORG	APP	JOB	OBJT	AMOUNT
010	94E	0414	01		4946	

Chapter 1: PROCEDURES

SUMMARY: This Chapter describes the nature and operation of the Commission, and establishes procedures by which the Commission's actions will be governed.

SECTION 6. CONTRIBUTIONS AND OTHER RECEIPTS

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11. The statutory exception to the definition of "contribution" in 21-A M.R.S.A. § 1012 (2)(B)(2) applies when an individual provides real or personal property or pays for invitations, food or beverages as an incidental cost of providing voluntary personal services for a candidate-related activity. The costs of food and beverages are exempt only if they relate to the personal services provided by the volunteer (for example, assisting at a house party, or hosting an evening of envelope-stuffing by volunteers). The costs of invitations for a campaign event may not be shared and are exempt only if paid by a single volunteer providing the real property for the event.