**94-270**

**COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES**

**Maine Administrative Procedure Act**

**2013-2014 Regulatory Agenda**

AGENCY UMBRELLA-UNIT NUMBER: **94-270**

AGENCY NAME: **Commission on Governmental Ethics and Election Practices**

**CONTACT PERSON**: Jonathan Wayne, Executive Director

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA**: None

**2013-2014 RULE-MAKING ACTIVITY:**

**CHAPTER 1: Procedures**

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

PURPOSE: Chapter 1 describes the nature and operation of the Commission and establishes procedures by which its actions will be governed. The chapter includes provisions on meetings of the Commission, the procedures by which the Commission reviews disclosure reports and initiates investigations, reporting of campaign contributions and expenditures, communications by Commission members about matters under investigation, requirements for candidates to file accelerated reports, reporting requirements for independent expenditures, and lobbyist contributions to Legislators.

The Commission may amend its Rules to eliminate references to the payment of matching funds to *Maine Clean Election Act* candidates; to authorize the Commission to hold hearings to receive testimony under oath; to authorize the voluntary withdrawal of a complaint if preliminary investigation by the Executive Director suggests that no violation occurred; to address campaign expenditures that are jointly purchased by two or more candidates; to eliminate certain information from independent expenditure reports in the last seven days before an election; to clarify that the definition of “immediate family” for purposes of personal income reporting by Legislators and executive employees does not include an estranged spouse or domestic partner.

EXPECTED SCHEDULE FOR ADOPTION: By April 2013.

AFFECTED PARTIES: Political candidates, political action committees, political party committees, ballot question committees, contributors to campaigns, lobbyists, and Legislators.

CONSENSUS-BASED RULE DEVELOPMENT: None expected.

**CHAPTER 3: *Maine Clean Election Act* and Related Provisions**

STATUTORY AUTHORITY: 1 M.R.S.A. §1003; 21-A M.R.S.A. §1126

PURPOSE: Chapter 3 establishes procedures to implement the *Maine Clean Election Act* and related provisions, including definitions, procedures governing candidate participation in the Act, certification of participating candidates, fund administration, distribution of funds to certified candidates, limitations on campaign expenses, record-keeping and reporting requirements, and procedures for *Maine Clean Election Act* candidates involved in recounts, vacancies, and special elections.

The Commission may amend its Rules to prohibit using *Maine Clean Election Act* funds to buy a thank-you gift for a volunteer or supporter and to allow personal funds to be used for this purpose; and to clarify that a candidate who has won a primary election may not use *Maine Clean Election Act* funds for post-primary party.

EXPECTED SCHEDULE FOR ADOPTION: By April 2013.

AFFECTED PARTIES: Prospective candidates for the office of Governor, State Senator, or State Representative, and the general public.

CONSENSUS-BASED RULE DEVELOPMENT: None expected.