



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

To: Interested Persons
From: Commission Staff
Date: August 12, 2025
Re: Update on Constitutional Challenges to Citizen-Initiated Laws

This memo is an update on two laws enacted by voters during 2023 and 2024 that have been the subjects of constitutional challenges in the U.S. District Court for the District of Maine. At present, the Maine Ethics Commission is barred from enforcing both laws.

Central Maine Power Company v. Maine Commission on Governmental Ethics and Election Practices, Docket No. 1:23-cv-00450 (D. Me.)

On November 7, 2023, Maine voters approved a citizen-initiated law that prohibits foreign governments from contributing or spending money to influence candidate elections and referenda in Maine. The law applies these same prohibitions to non-governmental entities if a foreign government or an entity majority-owned by a foreign government owns 5% or more of the entity or participates in its election-spending decisions.

After the election, utilities, media associations, and individuals filed four actions in the United States District Court for the District of Maine to challenge the law that were later consolidated. On February 29, 2024, the District Court blocked the Commission and the Attorney General from enforcing the law while the court challenge was ongoing. The State appealed the District Court's decision.

On July 11, 2025, the U.S. Court of Appeals for the First Circuit affirmed the District Court's order blocking enforcement of the law while the lawsuit remains ongoing. The decision of the Court of Appeals can be accessed at this [link](#). The court challenge is now expected to proceed in the District Court.

Because of the courts' actions, the Commission and the Attorney General are not currently enforcing either the challenged statute (21-A MRSA § 1064) or the Commissions' implementing rules (94-270 C.M.R. ch. 1, § 16). If the courts ultimately reject the challenges to the statute, the statute and rules may become enforceable in the future.

Dinner Table Action v. Schneider, Docket No. 1:24-cv-00430 (D. Me.)

On November 5, 2024, Maine voters approved a citizen-initiated law that prevents individuals, political groups, and other entities from contributing more than \$5,000 per year to a Maine political action committee (PAC) for the purpose of making independent expenditures. Independent expenditures are payments for communications to voters that advocate for or against candidates which are made without any cooperation or consultation with the

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candidates in the race. In December 2024, two Maine PACs and a PAC officer filed a lawsuit in the United States District Court for the District of Maine seeking to block the Commission and the Attorney General from enforcing the law, claiming the law violates the First and Fourteenth Amendments.

In a July 15, 2025 decision, the District Court concluded that the law violated the First Amendment to the U.S. Constitution. The court's decision may be accessed at this [link](#). The District Court thus blocked the Commission and the Attorney General from enforcing the entirety of the law.

On July 25, 2025, the Maine Attorney General and the Commission filed a notice of appeal with the U.S. Court of Appeals for the First Circuit. That appeal remains pending.

Because of the court's decision, the Commission and the Attorney General are not currently enforcing the new law. The law could become enforceable in the future if the District Court's decision is reversed or modified on appeal.