**94-270**

**COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES**

Maine Administrative Procedure Act

**2015-2016 Regulatory Agenda – AMENDED**

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

**2015-2016 RULE-MAKING ACTIVITY**:

**CHAPTER 1**: Procedures

STATUTORY AUTHORITY: 1 MRSA §1003(1)

PURPOSE: Ch. 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 concerning the disclosure of top-three donors that are required to be included in paid communications to voters advocating for and against candidates, its rule concerning the schedule for the filing of independent expenditure reports, and the costs of invitations, food and beverages paid for by individuals volunteering for candidates (the “house party exception”).

EXPECTED SCHEDULE FOR ADOPTION: By September 2016.

AFFECTED PARTIES: Political candidates, political action committees, political party committees, lobbyists and candidates.

CONSENSUS-BASED RULE DEVELOPMENT: None expected.

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

STATUTORY AUTHORITY: 1 MRSA §1003; 21-A MRSA §1126

PURPOSE: Ch. 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 be consistent with a citizen initiative approved by voters on November 3, 2015, including increasing seed money that may be collected by *Maine Clean Election Act* (MCEA) candidates and authorizing MCEA candidates to collect additional qualifying contributions to qualify for increased public campaign funds. The rules may also be amended to prohibit candidates from making payments of MCEA funds greater than $50 in cash, to describe the procedures for an online qualifying contribution service, and to hold candidates presumptively responsible for non-compliance in the collection of qualifying contributions.

EXPECTED SCHEDULE FOR ADOPTION: By March 2016.

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

CONSENSUS-BASED RULE DEVELOPMENT: None expected.

*(amended version received 9/8/2016)*