

§1011. Application

This subchapter applies to candidates for all state and county offices and to campaigns for their nomination and election. Candidates for municipal office as described in Title 30-A, section 2502, subsection 1 are also governed by this subchapter. The commission does not have jurisdiction over financial activities to influence the nomination or election of candidates for federal office. [PL 2013, c. 334, §2 (AMD).]

1. Role of the municipal clerk; commission.

[PL 2009, c. 366, §1 (RP); PL 2009, c. 366, §12 (AFF).]

2. Exemptions.

[PL 2009, c. 366, §1 (RP); PL 2009, c. 366, §12 (AFF).]

3. Role of the municipal clerk; commission. For candidates for municipal office, the municipal clerk is responsible for any duty assigned to the commission in this subchapter related to the registration of candidates, receipt of reports and distribution of information or forms, unless otherwise provided. Notwithstanding any other deadline set forth in this chapter, candidates shall file their reports by the close of business on the day of the filing deadline established for the office of the municipal clerk. The commission retains the sole authority to prescribe the content of all reporting forms. The commission does not have responsibility to oversee the filing of registrations or campaign finance reports relating to municipal campaigns, except that the commission has the discretion to conduct investigations and assess penalties under subsection 3-A.

[PL 2013, c. 334, §2 (AMD).]

3-A. Enforcement by the commission. If a clerk of a town or city that is governed by this chapter pursuant to Title 30-A, section 2502 becomes aware of a potential violation of this chapter that the clerk considers to be substantial, the clerk may refer the matter to the commission for enforcement. Substantial violations include, but are not limited to, accepting contributions in excess of the limitations of section 1015 and failing to file a report that substantially complies with the disclosure requirements of section 1017. The commission has the discretion to conduct an investigation if the information referred by the municipal clerk shows sufficient grounds for believing that a violation may have occurred. After conducting the investigation, if the commission determines that a violation of this chapter has occurred, the commission may assess penalties provided in this chapter.

[PL 2013, c. 334, §2 (NEW).]

4. Exemptions. Exemptions for municipal candidates from the reporting requirements of this subchapter are governed by this subsection.

A. At the time a municipal candidate registers under section 1013-A, the candidate may notify the municipal clerk in writing that the candidate will not accept contributions, make expenditures or incur financial obligations associated with that person's candidacy. A candidate who provides this written notice is not required to appoint a treasurer or to meet the filing requirements of this section as long as the candidate complies with the commitment. [PL 2011, c. 389, §5 (NEW); PL 2011, c. 389, §62 (AFF).]

B. The notice provided to the municipal clerk in paragraph A may be revoked. A written revocation must be presented to the municipal clerk before the candidate may accept contributions, make expenditures or incur obligations associated with that person's candidacy. A candidate who has filed a notice with the municipal clerk under paragraph A and accepts contributions, makes expenditures or incurs obligations associated with that person's candidacy prior to filing a revocation may be assessed a penalty of \$10 for each business day that the revocation is late, up to a maximum of \$500. This penalty may be imposed in addition to the penalties assessed under other sections of this Title. [PL 2011, c. 389, §5 (NEW); PL 2011, c. 389, §62 (AFF).]

[PL 2011, c. 389, §5 (NEW); PL 2011, c. 389, §62 (AFF).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1995, c. 483, §2 (AMD). PL 2001, c. 430, §8 (AMD). PL 2007, c. 571, §8 (AMD). PL 2009, c. 190, Pt. A, §1 (AMD). PL 2009, c. 366, §1 (AMD). PL 2009, c. 366, §12 (AFF). PL 2009, c. 652, Pt. A, §19 (AMD). PL 2011, c. 389, §5 (AMD). PL 2011, c. 389, §62 (AFF). PL 2013, c. 334, §2 (AMD).

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