

**§1124. The Maine Clean Election Fund established; sources of funding**

**1. Established.** The Maine Clean Election Fund is established to finance the election campaigns of certified Maine Clean Election Act candidates running for Governor, State Senator and State Representative and to pay administrative and enforcement costs of the commission related to this Act. The fund is a special, dedicated, nonlapsing fund and any interest generated by the fund is credited to the fund. The commission shall administer the fund.

[IB 1995, c. 1, §17 (NEW).]

**2. Sources of funding.** The following must be deposited in the fund:

A. The qualifying contributions and additional qualifying contributions required under section 1125 when those contributions are submitted to the commission; [IB 2015, c. 1, §14 (AMD).]

B. Three million dollars of the revenues from the taxes imposed under Title 36, Parts 3 and 8 and credited to the General Fund, transferred to the fund by the State Controller on or before January 1st of each year, beginning January 1, 1999. These revenues must be offset in an equitable manner by an equivalent reduction in tax expenditures as defined in Title 36, section 199-A, subsection 2. This section may not affect the funds distributed to the Local Government Fund under Title 30-A, section 5681. [IB 2015, c. 1, §14 (AMD).]

C. Revenue from a tax checkoff program allowing a resident of the State who files a tax return with the State Tax Assessor to designate that \$3 be paid into the fund. In the case of a joint return, each spouse may designate that \$3 be paid. The State Tax Assessor shall report annually the amounts designated for the fund to the State Controller, who shall transfer that amount to the fund; [IB 2015, c. 1, §14 (AMD).]

D. Seed money contributions remaining unspent after a candidate has been certified as a Maine Clean Election Act candidate; [IB 1995, c. 1, §17 (NEW).]

E. Fund revenues that were distributed to a Maine Clean Election Act candidate and that remain unspent after the candidate has lost a primary election or after all general elections; [IB 1995, c. 1, §17 (NEW).]

F. Other unspent fund revenues distributed to any Maine Clean Election Act candidate who does not remain a candidate throughout a primary or general election cycle; [IB 1995, c. 1, §17 (NEW).]

G. Voluntary donations made directly to the fund; and [IB 1995, c. 1, §17 (NEW).]

H. Fines collected under section 1020-A, subsection 4-A and section 1127. [PL 2011, c. 389, §50 (AMD).]

[IB 2015, c. 1, §14 (AMD).]

**3. Determination of fund amount.**

[IB 2015, c. 1, §14 (RP).]

**4. Report on fund amount; operating margin.** By January 1st of each year the commission shall provide to the Legislature and the Governor a report of its projection of the revenues and expenditures of the Maine Clean Election Fund for the subsequent 4-year period. The commission shall include in the report an operating margin of 20% to ensure sufficient funds in the event of higher-than-expected participation in the Maine Clean Election Act. If any such report shows that the projected revenue for the subsequent 4-year period exceeds the projected expenses for that 4-year period plus the 20% operating margin, the commission shall notify the Legislature and the Governor and request that the amount of expected funding that exceeds the expected demand on the fund plus the operating margin be transferred to the General Fund. The Department of Administrative and Financial Services, Bureau of Revenue Services shall assist the commission with revenue projections required by this subsection. If at any time the commission determines that projected revenue is not sufficient to cover the projected

demand for funds in the 4-year period plus the operating margin, the commission may submit legislation to request additional funding.

[IB 2015, c. 1, §14 (NEW).]

#### SECTION HISTORY

IB 1995, c. 1, §17 (NEW). PL 1999, c. 4, §H1 (AMD). PL 2001, c. 559, §OO1 (AMD). PL 2001, c. 714, §RR1 (AMD). PL 2003, c. 673, §EE1 (AMD). RR 2007, c. 1, §12 (COR). PL 2007, c. 443, Pt. B, §§4, 5 (AMD). PL 2011, c. 389, §50 (AMD). IB 2015, c. 1, §14 (AMD).

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