



## **Campaign Contributions During the Legislative Session**

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### **What people and organizations are prohibited from making campaign contributions during a legislative session?**

Lobbyists, lobbyist associates, their clients, and political action committees that are affiliated with a client. (A lobbyist associate is a colleague or employee of a lobbyist who also lobbies on behalf of an client.)

### **What candidates are covered by the ban?**

Legislators, the Governor, the constitutional officers, and members of their staff who choose to run for office (“covered candidates”).

### **What about legislative caucus PACs and leadership PACs?**

The ban applies to contributions to any PAC closely associated with a legislator or other covered candidate, such as a legislative caucus PAC or a leadership PAC. Those PACs may only accept contributions from the prohibited sources during the session if the contributions are segregated in a fund that is not used to influence the election of any incumbent Legislators, the Governor or incumbent constitutional officers. The ban also applies to a contribution to a candidate made indirectly through a party committee.

### **Does the prohibition apply to other candidates?**

No.

### **Can other donors make contributions during a legislative session?**

Yes. Candidates may accept contributions from other sources that do not employ lobbyists in Maine, such as family members, neighbors, national associations, national parties, and local businesses. Legislative caucus PACs and leadership PACs may also accept contributions during the legislative session from these sources.

### **When does the ban apply?**

Lobbyists, lobbyist associates, and employers cannot make contributions to covered candidates and closely associated PACs while the Legislature is in session – from the time the Legislature is convened until final adjournment. This includes special sessions.

**What if a Legislator solicits a contribution before the session, but the contribution is not received until after the session begins? Is this allowed?**

No. Acceptance means the receipt or deposit of a contribution. If a covered candidate receives a contribution from a prohibited source after the Legislature convenes, the Commission suggests returning the contribution and waiting to solicit another contribution from this source until after the Legislature has finally adjourned.

**Does the prohibition apply to seed money contributions or \$5 qualifying contributions given to candidates intending to participate in the Maine Clean Election Act?**

During the session, lobbyists and lobbyist associates are not permitted to make seed money contributions (\$100 contributions to candidates intending to participate in the Maine Clean Election Act), but they may make qualifying contributions (\$5 donations made payable to the Maine Clean Election Fund in support of a candidate seeking to qualify for Maine Clean Election Act funds).

**Is a candidate allowed to go to fundraising events for a political party during the session if his or her campaign does not receive a contribution?**

Yes. The prohibition does not apply to a covered candidate's attendance at a fundraising event held by a party committee, so long as the candidate was not involved in soliciting contributions for the event from prohibited sources and the proceeds are paid directly to the party or a charitable organization.

**Who is responsible for checking if the contributor is prohibited?**

It is the candidate's responsibility to screen contributions to make sure they are not from prohibited sources. Candidates can check the current lists of lobbyists, lobbyist associates and employers on the Commission's e-filing Web site (<http://www.mainecampaignfinance.com/public/home.asp>). It is also the responsibility of lobbyists, lobbyist associates, and their employers to avoid making campaign contributions during the session to candidates subject to the prohibition.

**Are there any exceptions to the prohibition?**

Yes. The following contributions are *not* covered by the prohibition:

- contributions accepted by a covered candidate for a campaign for federal office;
- contributions relating to a special election to fill a vacancy that are made from the time of the announcement of the election until the election occurs; and
- contributions for bona fide social events hosted for nonpartisan, charitable purposes.

**For more information, please contact the Commission staff at 287-4179**