

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

DATE: 4/7/2000

(Filing No. S-666)

LEGAL AND VETERANS AFFAIRS

Reported by:

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE
SENATE
119TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 1070, L.D. 2663, Bill, "An Act Relating to Reporting Requirements for Political Action Committees on the Flexibility of the Commission on Governmental Ethics and Election Practices to Assess Fines"

Amend the bill by striking out the title and substituting the following:

'An Act Relating to Reporting Requirements for Political Action Committees on the Flexibility of the Commission on Governmental Ethics and Election Practices to Assess Penalties'

Further amend the bill by inserting after section 3 the following:

'Sec. 4. 21-A MRSA §1017, sub-§6, as amended by PL 1999, c. 157, §1, is further amended to read:

6. Forms. Reports required by this section must be on forms prescribed, prepared and sent by the commission to the treasurer of each registered candidate at least 7 days before the filing date for the report. Establishment of or amendments to the campaign report filing forms required by this section must be by rule. Persons filing reports may use additional pages if necessary, but the pages must be the same size as the pages of the form. Although the commission mails the forms for required reports, failure to receive forms by mail does not excuse treasurers, committees and other persons who must file reports from otherwise obtaining the forms.

Rules of the commission establishing campaign report filing forms for candidates are major substantive rules as defined in Title 5, chapter 375, subchapter II-A.'

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to S.P. 1070, L.D. 2663

2 Further amend the bill by striking out all of section 5 and
inserting in its place the following:

4 'Sec. 5. 21-A MRSA §1052, sub-§5, ¶A, as amended by PL 1991,
c. 839, §27 and affected by §33, is further amended to read:

6

A. Includes:

8

10 (1) Any separate or segregated fund established by any
corporation, membership organization, cooperative or
12 labor organization whose purpose is to influence the
outcome of an election, including a candidate or
question;

14

16 (2) Any person who serves as a funding and transfer
mechanism and spends money to initiate, advance,
18 promote, defeat or influence in any way a candidate,
campaign, political party, referendum or initiated
petition in this State;

20

22 (3) Any ~~person---who~~ organization, including any
corporation or association, that has as its major
purpose advocating the passage or defeat of a ballot
question and that makes expenditures other than by
24 contribution to a political action committee, for the
purpose of the initiation, promotion or defeat of any
26 question; and

28

30 (4) Any ~~person~~ organization, including any corporation
or association, ~~who~~ that has as its major purpose
advocating the passage or defeat of a ballot question
and that solicits funds from members or nonmembers and
32 spends more than \$1,500 in a calendar year to initiate,
34 advance, promote, defeat or influence in any way a
candidate, campaign, political party, referendum or
36 initiated petition in this State; and'

38

Further amend the bill in section 7 in that part designated
"§1056-B." in the first indented paragraph in the first line
40 (page 4, line 34 in L.D.) by inserting after the following:
"person" the following: 'not defined as a political committee'

42

44 Further amend the bill in section 7 in that part designated
"§1056-B." in subsection 2 in the 3rd line (page 4, line 50 in
L.D.) by striking out the following: "\$1,500" and inserting in
46 its place the following: '\$100'

48

Further amend the bill in section 7 in that part designated
"§1056-B." in subsection 2 in the 6th line (page 5, line 3 in

COMMITTEE AMENDMENT "A" to S.P. 1070, L.D. 2663

2 L.D.) by striking out the following: "\$1,500" and inserting in
its place the following: '\$500'

4 Further amend the bill by relettering or renumbering any
6 nonconsecutive Part letter or section number to read
consecutively.

8 Further amend the bill by inserting at the end before the
10 summary the following:

12 **FISCAL NOTE**

14 The additional costs associated with the changes governing
16 the submitting of campaign finance reports can be absorbed by the
Commission on Governmental Ethics and Election Practices
18 utilizing existing budgeted resources.'

20 **SUMMARY**

22 This amendment makes changes to the bill regarding the laws
24 governing PACS in response to the ruling in Volle v. Webster.
The amendment maintains the filing threshold at \$1,500 for
26 persons whose major purpose is to solicit contributions and make
expenditures for the purpose of influencing a ballot question.
28 The amendment changes the amount at which a person who is not
defined as a PAC must itemize contributions and expenditures from
30 \$1,500 to \$500. Any contribution or expenditure must be itemized
that is in excess of \$100 under this amendment. The amendment
32 also clarifies that creation of or changes to the campaign
finance reporting form must be done by rule. Such rules are
34 considered major substantive rules.

36 The amendment also adds a fiscal note to the bill.