

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 2176
6

7 H.P. 1651

House of Representatives, March 6, 1984

8 Submitted by the Joint Standing Committee on Election Laws as
9 approved by the Legislative Council on May 25, 1983.

10 Reported by Representative Handy from the Committee on Election Laws
11 to which was referred by the Legislative Council the study relative to
12 Recodification of the State Election Laws and consideration of Needed
13 Substantive Reforms. Printed under Joint Rule 19.

EDWIN H. PERT, Clerk
11

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FOUR
16

17 AN ACT to Amend the Political Action
18 Committee Registration and Reporting Law.
19

20 Be it enacted by the People of the State of Maine as
21 follows:

22 Sec. 1. 21 MRSA §1551, as enacted by PL 1983, c.
23 365, is amended to read:

24 §1551. Application

25 This chapter applies to the activities of politi-
26 cal action committees ~~organized in this State and~~
27 which expend in excess of \$50 in this State in any
28 one calendar year for the election of Governor, state
29 or county officers or for the support or defeat of
30 any campaign as defined in this chapter.

31 Sec. 2. 21 MRSA §1553, first ¶, as enacted by PL
32 1983, c. 365, is amended to read:

1 Every political action committee which expends or
2 ~~intends to expend~~ in excess of \$50 in any single cal-
3 endar year to initiate, support, defeat or influence
4 in any way a campaign, a referendum, initiated peti-
5 tion, candidate, political committee or another po-
6 litical action committee shall register with the com-
7 mission on forms prescribed by the commission. These
8 forms shall include the following information and any
9 additional information reasonably required by the
10 commission or the Secretary of State to monitor the
11 activities of political action committees in Maine
12 under this chapter:

13 Sec. 3. 21 MRSA §1553, sub-§5, as enacted by PL
14 1983, c. 365, is amended to read:

15 5. Assets. The total assets of the committee
16 available to influence elections in Maine at the time
17 of registration in Maine to be itemized and to in-
18 clude deposits in financial institutions, real prop-
19 erty, personal property, investments, cash and any
20 other form of wealth available to the committee;

21 Sec. 4. 21 MRSA §1555, as enacted by PL 1983, c.
22 365, is amended to read:

23 §1555. Reports, qualifications for filing

24 Any political action committee that expends in
25 excess of \$50 on any one or more campaigns for the
26 office of Governor, for state or county office or for
27 the support or defeat of a referendum or initiated
28 petition shall file a report on its activities in
29 that campaign with the commission on forms as pre-
30 scribed by the commission, as provided in this
31 section. Any political action committee required un-
32 der this section to file a report shall file the re-
33 port for each filing period as defined in sections
34 1556 and 1557 section 1556-A, whether or not the ex-
35 penditures are in excess of \$50 in any one period.

36 Sec. 5. 21 MRSA §§1556 and 1557, as enacted by
37 PL 1983, c. 365, are repealed.

38 Sec. 6. 21 MRSA §1556-A is enacted to read:

39 §1556-A. Reports; filing requirements

1 Political action committees required to file re-
2 ports by section 1555 shall do so as required by this
3 section. All reports shall be filed no later than 5
4 p.m. on the filing deadline. If the date specified
5 for filing falls on a Saturday, a Sunday or a holi-
6 day, the report shall be due on the next regular work
7 day.

8 1. Periodic reports. During the year in which
9 an election is held, committees shall file reports as
10 required by this subsection. The reports required in
11 paragraphs A to C shall contain itemized expenditures
12 required by the commission to closely monitor the ac-
13 tivities of political action committees, aggregate
14 expenditures for the periods between the filing dates
15 specified and cumulative aggregated expenditures to
16 include all preceding reporting periods. The commis-
17 sion may accept computer printout sheets that contain
18 the information required by this chapter.

19 A. Primary election reports shall be filed:

20 (1) On January 22nd and shall be complete
21 as of January 15th. This report shall cover
22 all previous expenditures made by the com-
23 mittee to influence, in any way, the outcome
24 of a primary election;

25 (2) On April 8th and shall be complete as
26 of April 1st;

27 (3) On the 7th day before the date on which
28 a primary election is held and shall be com-
29 plete as of the 11th day before that date;
30 and

31 (4) On July 22nd and shall be complete as
32 of July 15th. This report shall aggregate
33 all expenditures made to influence, in any
34 way, the outcome of a primary election.

35 B. General election reports shall be filed:

36 (1) On January 22nd and shall be complete
37 as of January 15th. This report shall cover
38 all previous expenditures made by the com-
39 mittee to influence, in any way, the outcome
40 of a general election;

1 (2) On April 8th and shall be complete as
2 of April 1st;

3 (3) On July 22nd and shall be complete as
4 of July 15th;

5 (4) On October 8th and shall be complete as
6 of October 1st;

7 (5) On the 7th day before the date on which
8 a general election is held and shall be com-
9 plete as of the 11th day before that date;
10 and

11 (6) On December 22nd and shall be complete
12 as of December 15th. This report shall ag-
13 gregate all expenditures made to influence,
14 in any way, the outcome of a general elec-
15 tion.

16 C. Reports of spending to influence referenda,
17 initiatives, bond issues or constitutional amend-
18 ment elections shall be filed:

19 (1) On January 22nd and shall be complete
20 as of January 15th. This report shall cover
21 all previous expenditures made by the com-
22 mittee to influence, in any way, the outcome
23 of a ballot issue campaign;

24 (2) On April 8th and shall be complete as
25 of April 1st;

26 (3) On July 22nd and shall be complete as
27 of July 15th;

28 (4) On October 8th and shall be complete as
29 of October 1st;

30 (5) On the 7th day before the date on which
31 a ballot question election is held and shall
32 be complete as of the 11th day before that
33 date; and

34 (6) On December 22nd and shall be complete
35 as of December 15th. This report shall ag-
36 gregate all expenditures made to influence,

1 in any way, the outcome of a ballot question
2 campaign.

3 2. Annual reports. If a political action com-
4 mittee makes expenditures in excess of \$50 to influ-
5 ence, in any way, the outcome of an election in a
6 year other than the year in which that election is
7 held, the committee shall file an annual report on
8 forms prescribed by the commission. That report
9 shall be due on January 22nd of the next calendar
10 year and shall be complete as of the close of the
11 calendar year during which the expenditures were
12 made.

13 3. Report of expenditures made after the 11th
14 day and more than 48 hours before any election. Any
15 expenditures of \$100 or more, made after the 11th day
16 and more than 48 hours before any election, shall be
17 reported within 48 hours of that expenditure.

18 4. Special election reports. If a special elec-
19 tion is held, a political action committee which
20 makes expenditures in excess of \$50 to influence, in
21 any way, the outcome of that special election shall
22 file reports on forms prescribed by the commission.
23 Special election reports shall be filed:

24 A. On the 42nd day before the date on which the
25 special election is held and shall be complete as
26 of the 49th day before that date. This report
27 shall cover all previous expenditures made by the
28 committee to influence, in any way, the outcome
29 of the special election;

30 B. On the 7th day before the date on which the
31 special election is held and shall be complete as
32 of the 11th day before that date; and

33 C. On the 42nd day after the date on which the
34 special election is held and shall be complete as
35 of the 35th day after that date. This report
36 shall aggregate all expenditures made to influ-
37 ence, in any way, the outcome of the special
38 election.

39 Sec. 7. 21 MRSA §1558, sub-§6, as enacted by PL
40 1983, c. 365, is amended to read:

1 6. Identification of contributions. Names and
2 mailing addresses of contributors who have given more
3 than \$50 to the political action committee, the
4 amount contributed by each donor and the date of the
5 ~~following~~ contribution following registration of the
6 committee under section 1553. The information re-
7 quired in this subsection shall be kept separate from
8 the information required in section 1553, subsection
9 7.

10 Sec. 8. 21 MRSA §1560, first ¶, as enacted by PL
11 1983, c. 365, is amended to read:

12 Any political action committee that makes an ex-
13 penditure in the aggregate which exceeds \$50 to any
14 one or more candidates, committees or campaigns in
15 this State shall keep records as provided in this
16 section. Records required to be kept by subsections
17 1, 2 and 3 shall be retained by the political action
18 committee until 10 days after the next election fol-
19 lowing the election to which the records pertain.

20 Sec. 9. 21 MRSA §1560, sub-§2, as enacted by PL
21 1983, c. 365, is amended to read:

22 2. Receipts. It shall be the duty of the trea-
23 surer of a political action committee to retain ~~for~~ a
24 4-year ~~period~~ all receipts of expenditures made for a
25 candidate, committee or campaign in this State. Re-
26 cepts may be in the form of cancelled checks.

27 Sec. 10. 21 MRSA §1563, first ¶, as enacted by
28 PL 1983, c. 365, is amended to read:

29 There shall be a penalty of \$50 for each business
30 day that a report required to be filed under this
31 chapter is late. The commission shall determine
32 whether a report received after the date required by
33 this chapter is late and, if determined to be late,
34 the number of days of lateness.

35 Sec. 11. 21 MRSA §1563, as enacted by PL 1983,
36 c. 365, is amended by adding at the end 2 new para-
37 graphs to read:

38 A notice of lateness shall be sent to political
39 action committees and treasurers registered with the

1 commission whose reports are not received by 2 days
2 after the filing deadline. That notice shall be sent
3 on the 3rd day following the deadline.

4 A late report filed within 10 days of any dead-
5 line, except a report required to be filed within 11
6 days before an election, shall not be subject to pen-
7 alty. Reports filed after this grace period are sub-
8 ject to penalties from the original filing deadline.

9 Sec. 12. 21 MRSA §1565, sub-§3, as enacted by PL
10 1983, c. 365, is amended to read:

11 3. Registration. No political action committee
12 may function in this State, unless it is registered
13 in accordance with section 1553 or unless it is
14 ~~accepted~~ excepted by the provisions thereof.

15 STATEMENT OF FACT

16 This bill is recommended by the Joint Standing
17 Committee on Election Laws as a result of its study
18 of the election laws. The purpose of the bill is to
19 clarify the Political Action Committee registration
20 and reporting law enacted last session.

21 Section 1 clarifies that the provisions of the
22 law apply to Political Action Committees which expend
23 more than \$50 in Maine.

24 Section 2 deletes unnecessary language.

25 Section 3 clarifies what Political Action Commit-
26 tee assets must be identified at the time of regis-
27 tration.

28 Section 4 clarifies that a Political Action Com-
29 mittee has to file reports only for campaigns in
30 which it is active.

31 Section 5 reduces the number of required reports
32 and standardizes the reporting dates.

33 Section 6 clarifies that only contributors who
34 gave more than \$50 must be identified in Political
35 Action Committee reports.

