

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 499

6  
7 S.P. 181

In Senate, February 8, 1985

8 Referred to the Committee on Legal Affairs. Sent down for concurrence  
9 and ordered printed. Ordered sent forthwith.

10 JOY J. O'BRIEN, Secretary of the Senate

11 Presented by Senator Sewall of Lincoln.

12 STATE OF MAINE  
13

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

17 AN ACT to Allocate Costs of Communications by  
18 Corporations and Membership  
19 Organizations Advocating the Election  
20 or Defeat of Candidates.  
21

22 Be it enacted by the People of the State of Maine as  
23 follows:

24 21 MRSA §1397, sub-§5, as repealed and replaced  
25 by PL 1977, c. 575, §13, is amended to read:

26 5. Other persons. Each person, other than a  
27 candidate or a candidate's authorized political com-  
28 mittee, who makes contributions or expenditures ex-  
29 pressly advocating the election or defeat of a clear-  
30 ly identified candidate, other than by contribution  
31 to a candidate or a candidate's authorized political  
32 committee, in an aggregate amount in excess of \$50  
33 with respect to an election shall file a report with  
34 the commission. Such report shall contain an itemized  
35 account of each such expenditure, in any election, of  
36 an aggregate amount in excess of \$50 the purpose of

1 each and the name of each payee or creditor. Such re-  
2 port shall contain an itemized account of each such  
3 contribution, in any election, of an aggregate amount  
4 in excess of \$50 received, the name and address of  
5 each such contributor and the occupation and princi-  
6 pal place of business, if any, of such contributor.  
7 Such report shall state whether the contribution or  
8 expenditure is in support of or in opposition to the  
9 candidate and shall include, under penalty of perju-  
10 ry, as provided in Title 17-A, section 451, a state-  
11 ment under oath or affirmation whether such expendi-  
12 ture is made in cooperation, consultation or concert  
13 with, or at the request or suggestion of, any candi-  
14 date or any authorized committee or agent of such  
15 candidate.

16 Any membership organization or corporation which  
17 makes a communication to its members or stockholders  
18 expressly advocating the election or defeat of a  
19 clearly identified candidate shall report any expendi-  
20 tures in an aggregate amount in excess of \$50 for  
21 such communication in any election, whether or not  
22 such communication is defined as an expenditure under  
23 section 1392, subsection 4, paragraph C, subparagraph  
24 (3).

25 Reports required by this subsection in relation to a  
26 candidate for Governor shall be filed on the same  
27 dates on which reports for such candidates are to be  
28 filed under subsection 3. Reports required by this  
29 subsection in relation to a candidate for state or  
30 county office other than the office of Governor shall  
31 be filed on the same dates on which reports for such  
32 candidates are to be filed under subsection 4. For  
33 the purposes of this section, the entire cost of the  
34 communication shall be attributed to the election or  
35 defeat of each clearly indentified candidate.

#### 36 STATEMENT OF FACT

37 The purpose of this bill is to prevent a corpora-  
38 tion or membership organization from allocating an  
39 unreasonably low amount of the cost of a communica-  
40 tion to the election or defeat of a candidate.

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