

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
115TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1679, L.D. 2356, Bill, "An Act to Strengthen the Campaign Finance Reporting Laws"

Amend the bill by inserting after the title and before the enacting clause the following:

'Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the changes included in this legislation must take effect immediately in order to apply fully to campaign activities in the 1992 election year; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

Further amend the bill by striking out all of sections 5 and 6 and inserting in their place the following:

'Sec. 5. 21-A MRSA §1013-A, sub-§2, as amended by PL 1989, c. 833, §1, is repealed.'

Further amend the bill in section 9 in subsection 1 in the 7th line (page 5, line 26 in L.D.) by striking out the following: "~~r-bumper-stickers~~ and or" and inserting in its place the following: ', bumper stickers and'

**COMMITTEE AMENDMENT**

2 Further amend the bill in section 9 in subsection 1 in the  
9th line from the end (page 5, line 40 in L.D.) by striking out  
4 the following: "bumper stickers,"

6 Further amend the bill in section 9 in subsection 1 in the  
4th and 5th lines from the end (page 5, lines 44 and 45 in L.D.)  
8 by striking out the following: "political signs measuring less  
than 350 square inches,"

10 Further amend the bill in section 12 in that part designated  
12 "§1015-A." in the first paragraph in the first line (page 6, line  
28 in L.D.) by striking out the following: "Contributions made  
14 by a corporation," and inserting in its place the following:  
'Contributions made by a for-profit or a nonprofit corporation'

16 Further amend the bill in section 16 in subsection 4 in the  
18 8th line (page 11, line 32 in L.D.) by striking out the  
following: "The treasurer of a candidate" and inserting in its  
20 place the following: 'The person required to file a report under  
section 1013-A, subsection 1'

22 Further amend the bill in Section 17 in subsection 5 by  
24 striking out the last sentence (page 12, lines 15 to 17 in L.D.)  
and inserting in its place the following: 'The Until December  
26 31, 1992, the candidate is responsible for the timely and  
accurate filing of each required report. Beginning January 1,  
28 1993, the candidate and the treasurer are jointly responsible for  
the timely and accurate filing of each required report.'

30 Further amend the bill in section 22 in subsection 9 in the  
32 9th line (page 14, line 12 in L.D.): by inserting after the  
following: "campaign." the following: 'Funds not carried forward  
34 to the next campaign must be disposed of as provided in section  
1017, subsection 8.'

36 Further amend the bill by inserting after section 22 the  
38 following:

40 'Sec. 23. 21-A MRSA §1017-A is enacted to read:

42 §1017-A. Reports of contributions and expenditures by party  
committees

44 1. Contributions. A party committee shall report all  
46 contributions in cash or in kind from an individual contributor  
that in the aggregate in a campaign total \$250 or more. The  
48 party committee shall report the name, mailing address,

2 occupation and place of business of each contributor.  
3 Contributions of less than \$250 must be reported, and these  
4 contributions may be reported as a lump sum.

5 2. Expenditures on behalf of candidates, others. A party  
6 committee shall report all expenditures in cash or in kind of the  
7 committee made on behalf of a candidate, political committee,  
8 political action committee or party committee registered under  
9 this chapter. The party committee shall report:

10  
11 A. The name and address of each candidate and the identity  
12 and address of a campaign or committee;

13 B. The office sought by a candidate and the district that  
14 the candidate seeks to represent; and

15 C. The date of each expenditure.

16  
17 3. Other expenditures. Operational expenses and other  
18 expenditures in cash or in kind of the party committee that are  
19 not made on behalf of a candidate, committee or campaign must be  
20 reported as a separate item and may be reported as a lump sum.

21  
22 4. Filing schedule. A party committee shall file its  
23 reports according to the following schedule.

24  
25 A. Reports filed during an election year must be filed with  
26 the commission on: July 15th and be complete as of June  
27 30th; October 27th and be complete as of October 22nd; and  
28 January 15th and be complete as of December 31st.

29  
30 B. Reports filed during a nonelection year must be filed on  
31 July 15th and be complete as of June 30th and on January  
32 15th and be complete as of December 31st.

33  
34 C. Any contribution or expenditure of \$1,000 or more made  
35 after the 12th day before any election and more than 48  
36 hours before that election must be reported within 48 hours  
37 of that contribution or expenditure or by noon of the first  
38 business day after the contribution or expenditure,  
39 whichever is later.

40  
41 5. Penalties. A party committee is subject to the  
42 penalties in section 1020, subsection 2, except that the  
43 commission may waive the penalties until January 1994.

44  
45 6. Notice; forms. A state party committee shall notify  
46 all county, district and municipal party committees of the same  
47 political party of the party committee reporting requirements.

2 The party committees shall obtain the necessary forms from the  
3 commission to complete the filing requirements.

4 7. Exemption. Any party committee receiving and expending  
5 less than \$1,500 in one calendar year is exempt from the  
6 reporting requirements of this section for that year.'

8 Further amend the bill by striking out all of section 26.

10 Further amend the bill by inserting after section 29 the  
11 following:

12 **Sec. 30. Application; retroactivity.** Sections 22 and 25 of this  
13 Act apply retroactively to activities during the entire reporting  
14 period for which a report is first due under the laws as enacted  
15 or amended by this Act.

16 **Sec. 31. Effective date.** The following sections are effective  
17 January 1, 1993: sections 1 to 7; section 10; section 12, except  
18 the part of section 12 that amends the Maine Revised Statutes,  
19 Title 21-A, section 1016, subsection 3; sections 13 and 14,  
20 except the part of section 14 that amends Title 21-A, section  
21 1017, subsection 3-A, paragraph C; and sections 17 to 20, except  
22 the part of section 20 that enacts Title 21-A, section 1017,  
23 subsection 8, paragraph G.

24 **Emergency clause.** In view of the emergency cited in the  
25 preamble, this Act takes effect when approved, except as  
26 otherwise indicated.'

27 Further amend the bill by renumbering the sections to read  
28 consecutively.

29 Further amend the bill by inserting at the end before the  
30 statement of fact the following:

31 **FISCAL NOTE**

32 The additional costs associated with implementing the  
33 changes in the laws governing campaign finance reporting and  
34 providing campaign termination report forms can be absorbed by  
35 the Commission on Governmental Ethics and Election Practices  
36 utilizing existing budgeted resources.'

37 **STATEMENT OF FACT**

38 The amendment removes bumper stickers and lawn signs from  
39 the list of communications that are exempt from the disclosure  
40 requirement, and clarifies that the corporate reporting  
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2 requirements apply to for-profit and non-profit corporations,  
such as incorporated labor unions. The amendment also clarifies  
4 that candidates must either file a report indicating that they  
will carry forward any campaign deficits or surpluses to the next  
6 campaign or dispose of them by one of the methods provided in  
law. The amendment locates the party committee reporting  
8 requirement in a more appropriate place in the statutes,  
specifies that the changes regarding treasurers of campaigns are  
not effective until January 1, 1993, and makes the remainder of  
10 the changes in the bill effective immediately.

Reported by the Committee on Legal Affairs  
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