

MAINE STATE LEGISLATURE

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R/S

L.D. 1671

DATE: 3/24/94

(Filing No. H-918)

MINORITY
LEGAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1244, L.D. 1671, Bill, "An Act to Clarify Reporting Requirements for Party Committees"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 21-A MRSA §1017-A, sub-§2-A is enacted to read:

2-A. Expenditures on behalf of political causes. A party committee shall report all expenditures in cash or in kind made by the committee on behalf of a political cause, as defined in section 1121. The party committee shall report:

A. The issue of public concern that is the subject matter of the expenditure;

B. The purpose for which the expenditure is made;

C. The name of the payee; and

D. The date of each expenditure.

Sec. 2. 21-A MRSA c. 13, sub-c. VI is enacted to read:

SUBCHAPTER VI

POLITICAL CAUSES

COMMITTEE AMENDMENT

§1121. Definitions

2 As used in this subchapter, unless the context otherwise
4 indicates, the following terms have the following meanings.

6 1. Expenditure. "Expenditure" means a purchase, payment,
8 distribution, loan, advance, deposit or gift of money or anything
10 of value made for the specific purpose of advocating for or
12 against, or attempting to influence public opinion about, an
14 issue or matter of public concern that is or may come under
16 consideration by any branch of State Government.

18 2. Political cause. "Political cause" means any course of
20 activities undertaken by a party committee, as described in
22 section 1013-A, subsection 3, for the specific purpose of
24 advocating for or against, or attempting to influence public
26 opinion about, an issue or matter of public concern that is or
28 may come under consideration by any branch of State Government,
30 other than a course of activities that would constitute a
32 campaign as defined in section 1052, subsection 1.

§1122. Publication or distribution of political statements

34 1. Authorized by party committee. Whenever a party
36 committee makes an expenditure to finance a communication
38 concerning a political cause through broadcasting stations,
40 newspapers, magazines, outdoor advertising facilities, direct
42 mails or other similar types of general public political
44 advertising or through flyers, handbills, bumper stickers and
46 other nonperiodical publications, the communication must clearly
48 and conspicuously state the party committee that authorized and
50 made or financed the expenditure for the communication. The
following forms of political communication do not require the
name and address of the party committee that made or authorized
the expenditure for the communication because the name would be
so small as to be illegible or infeasible: ashtrays, badges and
badge holders, balloons, campaign buttons, clothing, coasters,
combs, emery boards, envelopes, erasers, glasses, key rings,
letter openers, matchbooks, nail files, noisemakers, paper and
plastic cups, pencils, pens, plastic tableware, 12-inch or
shorter rulers, swizzle sticks, tickets to fund-raisers and
similar items determined by the commission to be too small and
unnecessary for the disclosures required by this section.

2. Broadcasting prohibited without disclosure. A person
operating a broadcasting station within this State may not
broadcast any communication described in subsection 1 without an
oral or written announcement of the name of the party committee
who made or financed the expenditure for the communication.

P. of S.

2 3. Enforcement. Any person who makes a communication or
broadcast in violation of this section commits a civil violation
4 for which a forfeiture not to exceed \$100 may be adjudged.
Enforcement and collection procedures must be in accordance with
section 1020.

6
8 §1123. Reports

10 A party committee shall report expenditures made on behalf
of political causes as required in section 1017-A, subsection
12 2-A.'

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

16 **FISCAL NOTE**

18 The additional costs to monitor reporting requirements for
party committees to include expenditures on behalf of political
20 causes can be absorbed by the Commission on Governmental Ethics
and Election Practices utilizing existing budgeted resources.

22 The additional workload and administrative costs associated
24 with the minimal number of new cases filed in the court system
can be absorbed within the budgeted resources of the Judicial
26 Department. The collection of additional fines may increase
General Fund revenue by minor amounts.'

28 **STATEMENT OF FACT**

30 This amendment replaces the original bill and is the
32 minority report of the Joint Standing Committee on Legal Affairs.

34 The amendment adds a subchapter to the campaign finance and
reporting laws that defines political causes and expands the
36 reporting requirements for party committees to include
expenditures on behalf of political causes.

38 The amendment requires a party committee to report to the
40 Commission on Governmental Ethics and Election Practices the
issue or matter of public concern that is the subject of the
42 expenditure and the date and amount of each expenditure.

44 When a party committee makes an expenditure to finance a
communication, through advertising, concerning a political cause,
46 the communication must clearly and conspicuously state the party
committee that authorized and made or financed the expenditure
48 for the communication.

50 The amendment also adds a fiscal note.