

# MAINE STATE LEGISLATURE

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R/S

L.D. 1671

DATE: 3/24/94

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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.

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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.