

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

SECOND REGULAR SESSION-1994

Legislative Document

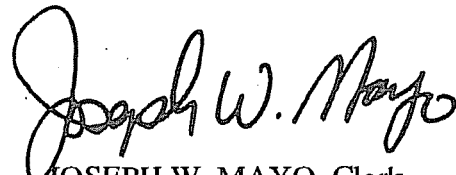
No. 1671

H.P. 1244

House of Representatives, January 7, 1994

An Act to Clarify Reporting Requirements for Party Committees.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.
Reference to the Committee on Legal Affairs suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative PARADIS of Augusta.
Cosponsored by Representative DAGGETT of Augusta, Senator HANDY of Androscoggin and
Representatives: BOWERS of Washington, CLOUTIER of South Portland.

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

2
4 Sec. 1. 21-A MRSA §1012, sub-§3, ¶¶A and B, as enacted by PL 1985, c. 161, §6, are amended to read:

6 A. Includes:

8 (1) A purchase, payment, distribution, loan, advance,
10 deposit or gift of money or anything of value made for
12 the purpose of influencing any political campaign or
14 cause or the nomination or election of any person to
16 political office, except that a loan of money to a
candidate by a financial institution in this State made
in accordance with applicable banking laws and
regulations and in the ordinary course of business is
not included;

18 (2) A contract, promise or agreement, expressed or
20 implied, whether or not legally enforceable, to make
any expenditure; or

22 (3) The transfer of funds by a candidate or a
24 political committee to another candidate or political
committee; and

26 B. Does not include:

28 (1) Any news story, commentary or editorial
30 distributed through the facilities of any broadcasting
32 station, newspaper, magazine or other periodical
34 publication, unless the facilities are owned or
controlled by any political party, political committee
or candidate;

36 (2) Nonpartisan activity designed to encourage
individuals to register to vote or to vote;

38 (3) Any communication by any membership organization
40 or corporation to its members or stockholders, if that
42 membership organization or corporation is not organized
primarily for the purpose of influencing the nomination
or election of any person to state or county office;

44 (4) The use of real or personal property and the cost
46 of invitations, food and beverages, voluntarily
48 provided by an individual to a candidate in rendering
voluntary personal services for candidate-related
activities, if the cumulative value of these activities
does not exceed \$50 with respect to any election;

- 2 (5) Any unreimbursed travel expenses incurred and paid
for by an individual who volunteers his personal
4 services to a candidate, if the cumulative amount of
these expenses does not exceed \$50 with respect to any
6 election;
- 8 (6) Any communication by any person which is not made
for the purpose of influencing any political campaign
10 or cause or the nomination for election, or election,
of any person to state or county office;
- 12 (7) The payment by a party's state, district, county
or municipal committee of the costs of preparation,
14 display or mailing or other distribution incurred by
the committee with respect to a printed slate card or
16 sample ballot, or other printed listing, of 3 or more
candidates for any political office for which an
18 election is held; or
- 20 (8) The use or distribution of any communication, as
described in section 1014, prepared for a previous
22 election and fully paid for during that election
campaign which was not used or distributed in that
24 previous election.

26 **Sec. 2. 21-A MRSA §1012, sub-§5 is enacted to read:**

28 **5. Political campaign or cause.** "Political campaign or
30 cause" means an effort:

32 **A. To influence the outcome of an election; or**

34 **B. To advocate for or against or to attempt to influence
public opinion concerning:**

36 **(1) A public official or a candidate for election or
appointment to public office; or**

38 **(2) An issue or matter of public concern that is or
40 may come under consideration by any branch of State
Government.**

42 **Sec. 3. 21-A MRSA §1017-A, sub-§2, as enacted by PL 1991, c.
44 839, §23 and affected by §33, is amended to read:**

46 **2. Expenditures on behalf of political campaigns or causes,
48 candidates, others.** A party committee shall report all
expenditures in cash or in kind of the committee made on behalf
of a political campaign or cause or a candidate, political

committee, political action committee or party committee
2 registered under this chapter. The party committee shall report:

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

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

10 C. The date of each expenditure.

12 **Sec. 4. 21-A MRSA §1018, sub-§2, as amended by PL 1989, c.**
14 **833, §8 and affected by §21, is further amended to read:**

16 **2. Party committee.** When a state, district, county or
municipal committee of a party makes contributions or
18 expenditures, aggregating in excess of \$50 in an election or a
political campaign or cause, that expressly advocate the election
20 or defeat of a candidate or candidates or any other political
campaign or cause, other than by contribution to a candidate or a
22 candidate's authorized political committee, the party committee
making the contribution or expenditure shall file a report with
the commission.

24 A. Reports required by this subsection in relation to a
26 candidate for Governor must be filed on the same dates on
which reports for gubernatorial candidates are filed under
28 section 1017, subsection 2. Reports required by this
subsection in relation to a candidate for state or county
30 office, other than Governor, must be filed on the same dates
on which reports for these candidates are filed under
32 section 1017, subsection 3-A. Reports required under this
subsection in relation to a political campaign or cause must
34 be filed on the same dates on which reports for these
political campaigns or causes are filed under section
36 1017-A, subsection 2.

38 B. This report must contain an itemized account of each
such contribution or expenditure aggregating in excess of
40 \$50 in any political campaign or cause or election, the date
and purpose of each and the name of each payee or creditor.
42 Total contributions or expenditures of less than \$500 in any
election need not be itemized.

44 C. Reports required by this subsection must be on forms
46 prescribed, prepared and sent by the commission to the
candidate at least 7 days before the filing date for the
48 report. Persons filing these reports may use additional
pages if necessary, but the pages must be the same size as
50 the pages of the form. Although the commission mails the

2 forms for required reports, failure to receive forms by mail
4 does not excuse committees, candidates and other persons who
6 must file reports from otherwise obtaining the forms.

8 **STATEMENT OF FACT**

10 This bill expands campaign reporting to cover expenditures
12 by political parties with regard to political campaigns or
14 causes. It defines political campaign or cause and adds
16 expenditures for political campaigns and causes to the reporting
18 requirements for party committees.

20 This document has not yet been reviewed to determine the
22 need for cross-reference, stylistic and other technical
amendments to conform existing law to current drafting standards.