

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

SECOND REGULAR SESSION-1994

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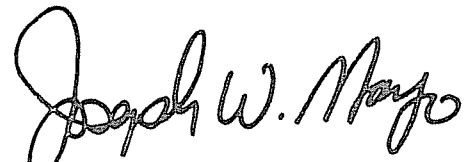
H.P. 1493

House of Representatives, April 13, 1994

**An Act to Clarify Reporting Requirements for Party Committees and
Political Action Committees.**

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.
Reference to the Committee on Legal Affairs suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative PARADIS of Augusta.

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

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

6 2-A. Expenditures on behalf of political causes. A party
8 committee shall report all expenditures in cash or in kind made
10 by the committee on behalf of a political cause as defined in
12 section 1121. The party committee shall report:

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

18 B. The purpose for which the expenditure is made;

20 C. The name of the payee; and

22 D. The date of the expenditure.

24 Sec. 2. 21-A MRSA §1056-A is enacted to read:

26 §1056-A. Expenditures on behalf of political causes

28 A party committee shall report all expenditures in cash or
30 in kind made by the committee on behalf of a political cause as
32 defined in section 1121. The party committee shall report:

34 1. Subject matter of expenditure. The issue of public
36 concern that is the subject matter of the expenditure;

38 2. Purpose of expenditure. The purpose for which the
40 expenditure is made;

42 3. Name of payee. The name of the payee; and

44 4. Date of expenditure. The date of the expenditure.

46 Sec. 3. 21-A MRSA c. 13, sub-c. VI is enacted to read:

48 SUBCHAPTER VI

50 POLITICAL CAUSES

§1121. Definitions

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

1. Expenditure. "Expenditure" means a purchase, payment,
distribution, loan, advance, deposit or gift of money or anything
of value made for the specific purpose of advocating for or

2 against, or attempting to influence public opinion about, an
4 issue or matter of public concern that is or may come under
6 consideration by any branch of State Government.

8 2. Political cause. "Political cause" means any course of
10 activities undertaken by a party committee, as described in
12 section 1013-A, subsection 3, or by a political action committee,
14 as defined in section 1052, subsection 5, for the specific
16 purpose of advocating for or against, or attempting to influence
18 public opinion about, an issue or matter of public concern that
20 is or may come under consideration by any branch of State
22 Government, other than a course of activities that would
24 constitute a campaign as defined in section 1052, subsection 1.

26 §1122. Publication or distribution of political statements

28 1. Authorized by party committee or political action
30 committee. When a party committee or a political action
32 committee makes an expenditure to finance a communication
34 concerning a political cause through broadcasting stations,
36 newspapers, magazines, outdoor advertising facilities, direct
38 mails or other similar types of general public political
40 advertising or through flyers, handbills, bumper stickers and
42 other nonperiodical publications, the communication must clearly
44 and conspicuously state the party committee or political action
46 committee that authorized and made or financed the expenditure
48 for the communication. The following forms of political
50 communication do not require the name and address of the party
committee or political action 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.

40 2. Broadcasting prohibited without disclosure. A person
42 operating a broadcasting station within this State may not
44 broadcast any communication described in subsection 1 without an
46 oral or written announcement of the name of the party committee
48 or political action committee that made or financed the
50 expenditure for the communication.

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

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§1123. Reports

A party committee shall report expenditures made on behalf of political causes as required in section 1017-A, subsection 2-A. A political action committee shall report expenditures made on behalf of political causes as required in section 1058.

FISCAL NOTE

The additional costs to monitor these new reporting requirements can be absorbed by the Commission on Governmental Ethics and Election Practices utilizing existing budgeted resources.

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

STATEMENT OF FACT

This bill adds a subchapter to the campaign finance and reporting laws that defines political causes and expands the reporting requirements for party committees and political action committees to include expenditures on behalf of political causes.

This bill requires a party committee or political action committee to report to the Commission on Governmental Ethics and Election Practices the issue or matter of public concern that is the subject of the expenditure and the date and amount of each expenditure.

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