

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1704

H.P. 1257

House of Representatives, March 20, 2001

An Act to Clarify the Activities of Membership Organizations in Maine.

Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative McKEE of Wayne.
Cosponsored by Senator DOUGLASS of Androscoggin and
Representatives: CHIZMAR of Lisbon, CUMMINGS of Portland, ESTES of Kittery,
LUNDEEN of Mars Hill, NORBERT of Portland, O'BRIEN of Lewiston, PATRICK of
Rumford, TUTTLE of Sanford.

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

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Sec. 1. 21-A MRSA §1012, sub-§2, ¶B, as amended by PL 1999, c. 432, §1, is further amended to read:

B. Does not include:

(1) The value of services provided without compensation by individuals who volunteer a portion or all of their time on behalf of a candidate or political committee;

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

(3) The sale of any food or beverage by a vendor for use in a candidate's campaign at a charge less than the normal comparable charge, if the charge to the candidate is at least equal to the cost of the food or beverages to the vendor and if the cumulative value of the food or beverages does not exceed \$50 with respect to any election;

(4) Any unreimbursed travel expenses incurred and paid for by an individual who volunteers personal services to a candidate, if the cumulative amount of these expenses does not exceed \$50 with respect to any election;

(5) The payment by a party's state, district, county or municipal committee of the costs of preparation, display or mailing or other distribution incurred by the committee with respect to a printed slate card, sample ballot or other printed listing of 3 or more candidates for any political office;

(6) Documents, in printed or electronic form, including party platforms, single copies of issue papers, information pertaining to the requirements of this Title and lists of registered voters, created or maintained by a political party for the general purpose of party building and provided to a candidate who is a member of that party;

2 (7) Compensation paid by a political party to an
3 employee of that party, or compensation paid by a
4 membership organization to an employee of that
5 membership organization, for the following purposes:

6 (a) Providing advice to any one candidate for a
7 period of no more than 20 hours in any election;

8 (b) Recruiting and overseeing volunteers for
9 campaign activities involving 3 or more
10 candidates; or

11 (c) Coordinating campaign events involving 3 or
12 more candidates;

13 (8) Campaign training sessions provided to 3 or more
14 candidates;

15 (9) The use of offices, telephones, computers and
16 similar equipment when that use does not result in
17 additional cost to the provider; or

18 (10) Activity or communication designed to encourage
19 individuals to register to vote or to vote if that
20 activity or communication does not mention a clearly
21 identified candidate.
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23 **Sec. 2. 21-A MRSA §1012, sub-§3, ¶B,** as amended by PL 1999, c.
24 432, §2, is further amended to read:

25 B. Does not include:

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

32 (2) Activity or communication designed to encourage
33 individuals to register to vote or to vote if that
34 activity or communication does not mention a clearly
35 identified candidate;

36 (3) Any communication by any membership organization
37 or corporation to its members or stockholders, if that
38 membership organization or corporation is not organized
39 primarily for the purpose of influencing the nomination
40 or election of any person to state or county office;
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2 (4) The use of real or personal property and the cost
of invitations, food and beverages, voluntarily
4 provided by an individual to a candidate in rendering
voluntary personal services for candidate-related
6 activities, if the cumulative value of these activities
does not exceed \$50 with respect to any election;

8 (5) Any unreimbursed travel expenses incurred and paid
for by an individual who volunteers personal services
10 to a candidate, if the cumulative amount of these
expenses does not exceed \$50 with respect to any
12 election;

14 (6) Any communication by any person that is not made
for the purpose of influencing the nomination for
16 election, or election, of any person to state or county
office;

18 (7) The payment by a party's state, district, county
20 or municipal committee of the costs of preparation,
display or mailing or other distribution incurred by
22 the committee with respect to a printed slate card or
sample ballot, or other printed listing, of 3 or more
24 candidates for any political office for which an
election is held;

26 (8) The use or distribution of any communication, as
28 described in section 1014, prepared for a previous
election and fully paid for during that election
30 campaign which was not used or distributed in that
previous election;

32 (9) Documents, in printed or electronic form,
34 including party platforms, single copies of issue
papers, information pertaining to the requirements of
36 this Title and lists of registered voters, created or
maintained by a political party for the general purpose
38 of party building and provided to a candidate who is a
member of that party;

40 (10) Compensation paid by a political party to an
42 employee of that party, or compensation paid by a
membership organization to an employee of that
44 membership organization, for the following purposes:

46 (a) Providing advice to any one candidate for a
48 period of no more than 20 hours in any election;

2 (b) Recruiting and overseeing volunteers for
campaign activities involving 3 or more
candidates; or

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6 (c) Coordinating campaign events involving 3 or
more candidates;

8 (11) Campaign training sessions provided to 3 or more
candidates; or

10 (12) The use of offices, telephones, computers and
12 similar equipment when that use does not result in
additional cost to the provider.

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16 **Sec. 3. 21-A MRSA §1012, sub-§5** is enacted to read:

18 **5. Membership organization.** "Membership organization"
means a nonprofit corporation in good standing under Title 13-B
with one or more classes of members who pay dues on a regular
basis and have direct participatory rights in the governance of
the organization pursuant to the organization's articles of
22 incorporation or bylaws.

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26 **SUMMARY**

This bill amends the laws governing campaign finance reports
and finances to specify that compensation paid by a "membership
organization" to an employee for certain activities is not
30 considered either a contribution or a political expenditure.