

# MAINE STATE LEGISLATURE

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L.D. 1711

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LEGAL AND VETERANS AFFAIRS

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STATE OF MAINE
SENATE
120TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 553, L.D. 1711, Bill, "An Act to Amend Maine's Campaign Finance Laws"

Amend the bill by striking out the title and substituting the following:

'An Act to Amend the Maine Clean Election Laws'

Further amend the bill by striking out all of sections 1 to 3 and inserting in their place the following:

Sec. 1. 21-A MRSA §1019, sub-§2, as repealed and replaced by IB 1995, c. 1, §14, is amended to read:

2. Content. This report must contain an itemized account of each contribution or expenditure aggregating in excess of \$50 in any election, the date and purpose of each and the name of each payee or creditor. Total contributions or expenditures of less than \$500 in any election need not be itemized. The report must state whether the contribution or expenditure is in support of or in opposition to the candidate and must include, under penalty of perjury, as provided in Title 17-A, section 451, a statement under oath or affirmation whether the expenditure is made in cooperation, consultation or concert with, or at the request or suggestion of, any candidate or any authorized committee or agent of a candidate. Any membership organization or corporation that makes a communication to its members or stockholders expressly advocating the election or defeat of a clearly identified candidate must report any expenditures

COMMITTEE AMENDMENT

R. & S.

aggregating--in-excess-of-\$50-for-such-a-communication-in-any election,--whether-or-not--the-communication-is-defined-as--an expenditure-under-section-1012,--subsection-3,--paragraph-A.

Sec. 2. 21-A MRSA §1019-A is enacted to read:

§1019-A. Reports of membership communications

Any membership organization or corporation that makes a communication to its members or stockholders expressly advocating the election or defeat of a clearly identified candidate shall report any expenses related to such communications aggregating in excess of \$50 in any one candidate's election race, notwithstanding the fact that such communications are not expenditures under section 1012, subsection 3, paragraph A. Reports required by this section must be filed with the commission on forms prescribed and prepared by the commission and according to a reporting schedule that the commission shall establish by rule.'

Further amend the bill in section 5 in subsection 7 in paragraph C in the first line (page 4, line 43 in L.D.) by inserting after the following: "primary election" the following: 'results are certified'

Further amend the bill in section 6 in paragraph D in the 3rd line (page 5, line 10 in L.D.) by striking out the following: "1/3" and inserting in its place the following: "40%"

Further amend the bill by striking out all of section 7 and inserting in its place the following:

'**Sec. 7. 21-A MRSA §1125, sub-§10**, as enacted by IB 1995, c. 1, §17, is amended to read:

**10. Candidate not enrolled in a party.** An unenrolled candidate certified by ~~March--16th~~ April 15th preceding the primary election is eligible for revenues from the fund in the same amounts and at the same time as an uncontested primary election candidate and a general election candidate as specified in subsections 7 and 8. For an unenrolled candidate not certified by ~~March--16th~~ April 15th at 5:00 p.m. the deadline for filing qualifying contributions is 5:00 p.m. on June 2nd preceding the general election. An unenrolled candidate certified after ~~March--16th~~ April 15th at 5:00 p.m. is eligible for revenues from the fund in the same amounts as a general election candidate, as specified in subsections 7 and 8.'

Further amend the bill in section 8 in that part designated "**§1126.**" in the first paragraph in the last line (page 6, line 5

2. 0. 6.

2 in L.D.) by inserting after the following: "Act." the  
3 following: 'Rules of the commission required by this section are  
4 major substantive rules as defined in Title 5, chapter 375,  
5 subchapter II-A.'

6 Further amend the bill by relettering or renumbering any  
7 nonconsecutive Part letter or section number to read  
8 consecutively.

10 Further amend the bill by inserting at the end before the  
11 summary the following:

14 **FISCAL NOTE**

16 The Commission on Governmental Ethics and Election Practices  
17 will incur some minor additional costs to prepare and distribute  
18 certain forms and to submit certain major substantive rules to  
19 the Legislature for approval. These costs can be absorbed within  
20 the commission's existing budgeted resources.

22 Providing funds from the Maine Clean Election Fund to  
23 participating candidates in uncontested general elections will  
24 increase the distributions from the fund. The amounts can not be  
25 determined at this time.'

28 **SUMMARY**

30 This amendment removes the provisions in the original bill  
31 that created the definition of independent electioneering and  
32 established reporting requirements for independent electioneering  
33 expenditures. It changes the distribution amount that the  
34 original bill provided for Maine Clean Election Act candidates in  
35 uncontested general elections from 1/3 to 40% of the amount  
36 distributed to Maine Clean Election Act candidates in contested  
37 general elections. The amendment specifies that rules of the  
38 commission governing qualifying contributions, certification of  
39 Maine Clean Election Act candidates, distribution of fund  
40 revenues to certified candidates and the disposition of equipment  
41 purchased with clean election funds are major substantive rules.  
42 This amendment makes some technical changes to the bill. This  
43 amendment also adds a fiscal note to the bill.