

MAINE STATE LEGISLATURE

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R.G.S.

L.D. 1339

DATE: 3-31-04

(Filing No. H-828)

LEGAL AND VETERANS AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
SECOND SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 984, L.D. 1339, Bill, "An Act To Amend the Laws Governing Campaign Finance"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

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

A. Includes:

(1) A purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value made for the purpose of influencing the nomination or election of any person to 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;

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

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

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to H.P. 984, L.D. 1339

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(4) A payment or promise of payment to a person contracted with for the purpose of supporting or opposing any candidate, campaign, political committee, political action committee, political party, referendum or initiated petition; and

Sec. 2. 21-A MRSA §1055, 2nd ¶, as amended by PL 2001, c. 430, §9, is amended to read:

A person operating a broadcasting station within this State may not broadcast any such communication without an oral or visual announcement of the name and address of the political action committee that made or financed the expenditure for the communication ~~and statement that reads:--"A copy of our report is available from the Commission on Governmental Ethics and Election Practices."~~

Sec. 3. 21-A MRSA §1060, sub-§4, as enacted by PL 1985, c. 161, §6, is amended to read:

4. Itemized expenditures. An itemization of expenditures and the date of each expenditure made to support or oppose any candidate, campaign, political committee, political action committee, political party, referendum or initiated petition. If expenditures were made to a person described in section 1012, subsection 3, paragraph A, subparagraph (4), the report must contain the name of the person; the amount spent by that person on behalf of the candidate, campaign, political committee, political action committee, political party, referendum or initiated petition; the reason for the expenditure; and the date of the expenditure. The commission may specify the categories of expenditures which that are to be reported to enable the commission to closely monitor the activities of political action committees;

Sec. 4. 21-A MRSA §1060, sub-§6, as amended by PL 1991, c. 839, §30, is further amended to read:

6. Identification of contributions. Names, occupations, places of business and mailing addresses of contributors who have given more than \$50 to the political committee after the committee has registered under section 1053, the amount contributed by each donor and the date of the contribution. The information already reported as required by section 1053, subsection 7 should not be duplicated; and'

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SUMMARY

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This amendment is the majority report of the committee. It retains only the provision in the bill that defines a payment made to a 3rd party who is not an employee of the candidate, the candidate's political committee, the party committee or the political action committee as an expenditure for the purpose of reporting and the provision that requires expenditures made to such a person to be itemized by the amount of, reason for and date of the expenditure. The amendment strikes a provision in current law that prohibits a broadcasting station within this State from broadcasting a communication made by a political action committee expressly advocating the election or defeat of a candidate unless that communication includes a statement that indicates that a copy of the report is available from the Commission on Governmental Ethics and Elections Practices. The communication still is required to include the name and address of the political action committee that financed the communication.

COMMITTEE AMENDMENT