

MAINE STATE LEGISLATURE

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R.D.S.

L.D. 1728

DATE: 3.29.04

(Filing No. S- 470)

LEGAL AND VETERANS AFFAIRS

Reported by:

MAJORITY

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STATE OF MAINE
SENATE
121ST LEGISLATURE
SECOND SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P. 661, L.D. 1728, Bill, "An Act To Amend the Penalty Provisions and Reporting Deadlines of the Campaign Reports and Finances Laws"

Amend the bill in Part A by inserting after section 1 the following:

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

4-B. Filing schedule for municipal, district and county party committees. Municipal, district and county party committees shall file reports according to the following schedule.

A. Reports filed during an election year must be filed with the commission on:

(1) July 15th and be complete as of June 30th;

(2) October 27th and be complete as of October 22nd;
and

(3) January 15th and be complete as of December 31st.

B. Reports filed during a nonelection year must be filed on:

(1) July 15th and be complete as of June 30th; and

(2) January 15th and be complete as of December 31st.

COMMITTEE AMENDMENT

PL 2003

2 C. Any contribution or expenditure of \$1,000 or more made
3 after the 12th day before any election and more than 24
4 hours before that election must be reported within 24 hours
5 of that contribution or expenditure or by noon of the first
6 business day after the contribution or expenditure,
7 whichever is later.'

8 Further amend the bill in Part A by inserting after section
9 2 the following:

10 'Sec. A-3. 21-A MRSA §1020-A, sub-§5-A, ¶¶B to D, as amended by
11 PL 2003, c. 302, §4, are further amended to read:

12 B. Five thousand dollars for state party committee reports
13 required under section 1017-A, subsection 4-A, paragraphs A,
14 B, C and E and ~~section 1018, subsection 2;~~

15 C. One thousand dollars for reports required under section
16 1017, subsection 2, paragraphs A and F; and section 1017,
17 subsection 3-A, paragraphs A and E; ~~and--state--party~~
18 ~~committee reports required to be filed under section 1017-A,~~
19 ~~subsection 4-A, paragraph B;~~

20 D. Five hundred dollars for municipal, district and county
21 committees for reports required under section 1017-A,
22 subsection ~~4-A and section 1018, subsection 2~~ 4-B; or'

23 Further amend the bill in Part A by striking out all of
24 sections 3 and 4 and inserting in their place the following:

25 'Sec. A-3. 21-A MRSA §1020-A, sub-§8, as enacted by PL 1995,
26 c. 483, §15, is repealed and the following enacted in its place:

27 8. Failure to file report. The commission shall notify a
28 candidate who has failed to file a report required by this
29 subchapter, in writing, informing the candidate of the
30 requirement to file a report. If a candidate fails to file a
31 report after 3 written communications from the commission, the
32 commission shall send up to 2 more written communications by
33 certified mail informing the candidate of the requirement to file
34 and that the matter may be referred to the Attorney General for
35 criminal prosecution. A candidate who fails to file a report as
36 required by this subchapter after the commission has sent the
37 communications required by this subsection is guilty of a Class E
38 crime.

39 Sec. A-4. 21-A MRSA §1020-A, sub-§8-A is enacted to read:

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8-A. Penalties for failure to file report. The penalty for failure to file a report required under this subchapter may not exceed the maximum penalties as provided in subsection 5-A.'

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

SUMMARY

This amendment is the majority report of the committee. It amends the bill by removing the Class E crime designation to the failure of a candidate or treasurer to file required campaign finance reports. It replaces that provision by stating that the failure to file a report is subject to the same penalties as for failing to file a report on time. The amendment also makes technical changes to the bill to clarify penalty provisions for party committees that fail to file a report or fail to file a report on time by correcting cross-references. It also amends the bill to reinstate a schedule for municipal, district and county party committees to file campaign finance reports that was inadvertently repealed in a bill passed during the First Regular Session of the 121st Legislature.

FISCAL NOTE REQUIRED
(See attached)

**121st Maine Legislature
Office of Fiscal and Program Review**



LD 1728

**An Act To Amend the Penalty Provisions and Reporting Deadlines of the
Campaign Reports and Finances Laws**

LR 2420(03)

**Fiscal Note for Bill as Amended by Committee Amendment 'A'
Committee: Legal and Veterans Affairs**

Fiscal Note Required: Yes

Majority Report

Fiscal Note

Minor savings - General Fund
No net revenue impact - General Fund
Minor revenue increase - Other Special Revenue Funds

Correctional and Judicial Impact Statements:

Eliminates a Class E crime