

MAINE STATE LEGISLATURE

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R. O. S.

Date: 6-6-11

(Filing No. S-263)

VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE

SENATE

125TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 491, L.D. 1541, Bill, "An Act To Amend the Campaign Finance Laws"

Amend the bill by inserting after the enacting clause and before section 1 the following:

'Sec. 1. 5 MRSA §19, sub-§7, as amended by PL 1991, c. 331, §3, is further amended to read:

7. Disclosure of reportable liabilities. Each executive employee shall include on the statement of income under subsection 2 all reportable liabilities incurred while employed as an executive employee. The executive employee shall file a supplementary statement with the Secretary of State Commission on Governmental Ethics and Election Practices of any reportable liability within 30 days after it is incurred. The report must identify the creditor in the manner of subsection 2.'

Amend the bill in section 6 in subsection 3 in paragraph B by striking out all of subparagraph (1) (page 5, lines 18 to 30 in L.D.) and inserting the following:

'(1) Any news story, commentary or editorial distributed through the facilities of any broadcasting station, newspaper, magazine or other periodical publication, unless the facilities are owned or controlled by any political party, political committee, candidate or candidate's immediate family;'

Amend the bill in section 28 in subsection 4 in paragraph B by striking out all of subparagraph (1) (page 14, lines 36 to 39 and page 15, lines 1 to 9 in L.D.) and inserting the following:

'(1) Any news story, commentary or editorial distributed through the facilities of any broadcasting station, newspaper, magazine or other periodical publication, unless these facilities are owned or controlled by any political party, political committee, candidate or candidate's immediate family;'

Amend the bill by inserting after section 48 the following:

COMMITTEE AMENDMENT

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'Sec. 49. 21-A MRSA §1124, sub-§2, ¶H, as enacted by IB 1995, c. 1, §17, is amended to read:

H. Fines collected under section 1020-A, subsection ~~4~~ 4-A and section 1127.'

Amend the bill by striking out all of section 53.

Amend the bill by inserting after section 59 the following:

'Sec. 60. **Legislation.** The Commission on Governmental Ethics and Election Practices is authorized to submit legislation to the Second Regular Session of the 125th Legislature to address the definition of "expenditure" in a campaign for office or by a political action committee relating to the production or distribution of a news story made by persons not directly connected to the candidate or to the political action committee. The commission shall consider similar provisions in other states and any relevant court decisions concerning disclosure of such expenditures.'

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

SUMMARY

This amendment strikes 2 provisions that amended the definition of "expenditure" to exclude expenses incurred in the production or distribution of a news story through various media as long as the media is not owned or controlled by a candidate or political action committee or owned or controlled by someone directly connected to the candidate or political action committee, and in their place authorizes the Commission on Governmental Ethics and Election Practices to submit legislation to address issues in the laws governing disclosure of those expenditures in candidate campaigns and by political action committees. The amendment also makes 2 technical changes to correct references in current law.

FISCAL NOTE REQUIRED

(See attached)



Approved: 06/02/11 *MAC*

125th MAINE LEGISLATURE

LD 1541

LR 2021(02)

An Act To Amend the Campaign Finance Laws

Fiscal Note for Bill as Amended by Committee Amendment "A" S 263

Committee: Veterans and Legal Affairs

Fiscal Note Required: Yes

Fiscal Note

Current biennium revenue increase - Other Special Revenue Funds

Fiscal Detail and Notes

This legislation increases various maximum penalties imposed by the Commission on Governmental Ethics and Election Practices which will increase Other Special Revenue Funds revenue to the Commission. No estimate is made of the amount of the increase at this time.