

MAINE STATE LEGISLATURE

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Date: 4/3/18 majority

L.D. 1865
(Filing No. H-714)

VETERANS AND LEGAL AFFAIRS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1301, L.D. 1865, Bill, "An Act To Increase Transparency in the Direct Initiative Process"

Amend the bill by striking out all of sections 2, 3 and 4.

Amend the bill in section 6 in §903-E in subsection 1 in paragraph B in the first line (page 2, line 19 in L.D.) by inserting after the following: "Providing services" the following: 'other than notarial acts'

Amend the bill in section 7 in §1060-A in subsection 1 by striking out all of paragraph B (page 3, lines 5 to 8 in L.D.) and inserting the following:

'B. "Major contributor" means a person, other than an individual, that makes one or more contributions aggregating in excess of \$100,000 to a ballot question committee or political action committee for the purpose of initiating or influencing any one people's veto referendum campaign or any one direct initiative campaign.'

Amend the bill in section 7 in §1060-A in subsection 2 in the 2nd line (page 3, line 10 in L.D.) by striking out the following: "within a calendar year"

Amend the bill in section 7 in §1060-A by striking out all of subsection 3 (page 3, lines 18 to 27 in L.D.) and inserting the following:

'3. Required reports. A major contributor shall file a report containing the information required in subsection 4 on or before the next regularly scheduled filing deadline under section 1059, subsection 2 occurring after the major contributor receives notice of the reporting requirement. If a major contributor has received a notice from a recipient committee or the commission during the last 13 days before an election as required under subsection 2, the major contributor shall file a report within 2 business days of receiving notice from the recipient committee or commission. The commission shall prescribe and prepare forms for these reports and may require major contributors to file reports electronically.'

Amend the bill in section 7 in §1060-A in subsection 4 in paragraph C in the last line (page 3, line 34 in L.D.) by striking out the following: "during the calendar year"

COMMITTEE AMENDMENT

ROFS

COMMITTEE AMENDMENT "A" to H.P. 1301, L.D. 1865

1 Amend the bill in section 7 in §1060-A in subsection 4 by striking out all of
2 paragraph E (page 3, lines 39 to 42 in L.D.) and inserting the following:

3 'E. The names of the 5 largest sources of funds received by the major contributor
4 during the period beginning 6 months prior to the first contribution made to the
5 recipient committee and ending on the date of the filing of the report. This paragraph
6 does not apply to funds received by the major contributor that are restricted to
7 purposes that are unrelated to a people's veto referendum or direct initiative campaign
8 in the State; and'

9 Amend the bill in section 7 in §1060-A in subsection 4 in the last blocked paragraph
10 in the last 3 lines (page 4, lines 7 to 9 in L.D.) by striking out all of the last sentence.

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

13 **SUMMARY**

14 This amendment is the majority report of the committee. It removes the provisions in
15 the bill requiring an additional statement on a petition for a direct initiative of legislation
16 indicating if the circulator is being paid to solicit signatures. The amendment clarifies the
17 definition of "major contributor." It provides that a person, other than an individual,
18 becomes a major contributor upon making one or more contributions aggregating
19 \$100,000 or more to a ballot question committee or political action committee to
20 influence any one direct initiative campaign or any one people's veto referendum
21 campaign. The amendment also changes the date by which a major contributor must file
22 a report. Under the bill, the report is due at the same time as the recipient committee's
23 October quarterly report. The amendment provides that the major contributor files a
24 report on or before the next regularly scheduled filing deadline after the major contributor
25 receives notice of the reporting requirement. Under the bill, a major contributor is
26 required to report the 5 largest sources of funds received by the major contributor during
27 the 12 months prior to submitting the report. The amendment provides that the report
28 must identify the 5 largest sources of funds received by the major contributor during the
29 period 6 months before the first contribution is made to the direct initiative or people's
30 veto campaign through the date the report is filed. Finally, the amendment provides that
31 a major contributor is not required to identify a source of funds if that source restricted
32 the use of those funds to purposes that are unrelated to a direct initiative or people's veto
33 campaign. The bill allows for this exception to be governed by rules to be adopted by the
34 Commission on Governmental Ethics and Election Practices.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



Approved: 03/28/18 *MCC*

128th MAINE LEGISLATURE

LD 1865

LR 2910(02)

An Act To Increase Transparency in the Direct Initiative Process

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-714)

Committee: Veterans and Legal Affairs

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor cost increase - Other Special Revenue Funds

Fiscal Detail and Notes

Additional costs to the Department of Secretary of State associated with implementing this legislation can be absorbed within existing budgeted resources. Additional reporting requirements would require the Commission on Governmental Ethics and Election Practices to modify the electronic filing system, resulting in minor costs that can be absorbed within existing budgeted resources.