MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 641

H.P. 472

House of Representatives, March 3, 2021

An Act To Prohibit Contributions, Expenditures and Participation by Foreign Nationals To Influence Referenda

(EMERGENCY)

Received by the Clerk of the House on March 1, 2021. Referred to the Committee on Veterans and Legal Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

ROBERT B. HUNT

R(+ B. Hunt

Clerk

Presented by Representative RISEMAN of Harrison.

1 2	Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and
3 4	Whereas, this legislation needs to take effect before the expiration of the 90-day period in order to apply in the current election cycle; and
5 6 7 8	Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,
9	Be it enacted by the People of the State of Maine as follows:
10	Sec. 1. 21-A MRSA §1064 is enacted to read:
11	§1064. Contributions, expenditures and participation by foreign nationals prohibited
12 13	1. Definition. As used in this section, unless the context otherwise indicates, "foreign national" means:
14	A. An individual who is not a citizen of the United States; or
15 16	B. A foreign entity, including a government, organization or business that holds, owns or otherwise has direct or indirect majority control of a foreign entity.
17 18	2. Contribution prohibited. A foreign national may not make, directly or indirectly, a contribution of money or anything of value to influence a referendum.
19 20	3. Solicitation or acceptance of contribution prohibited. A person may not solicit, accept or receive a contribution described in subsection 2 from a foreign national.
21 22	4. Expenditure prohibited. A foreign national may not make, directly or indirectly, an expenditure to influence a referendum.
23 24 25 26	5. Participation prohibited. A foreign national may not direct, dictate, control or directly or indirectly participate in the decision-making process of any person with regard to that person's activities to influence a referendum, such as decisions concerning the making of contributions or expenditures to influence a referendum.
27 28 29 30	6. Violation; penalty. Notwithstanding section 1004, subsection 1, a person that violates this section commits a civil violation for which a fine of not more than \$100,000 or twice the amount of the contribution or expenditure involved in the violation, whichever is greater, may be adjudged.
31 32	Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.
33	SUMMARY
34	This bill provides that a foreign national may not:
35 36	1. Make, directly or indirectly, a contribution of money or anything of value to influence a referendum;
37	2. Make, directly or indirectly, an expenditure to influence a referendum; or
38 39	3. Direct, dictate, control or directly or indirectly participate in the decision-making process of any person with regard to that person's activities to influence a referendum, such

- as decisions concerning the making of contributions or expenditures to influence a referendum.
- The bill also provides that a person may not solicit, accept or receive a contribution to influence a referendum from a foreign national.